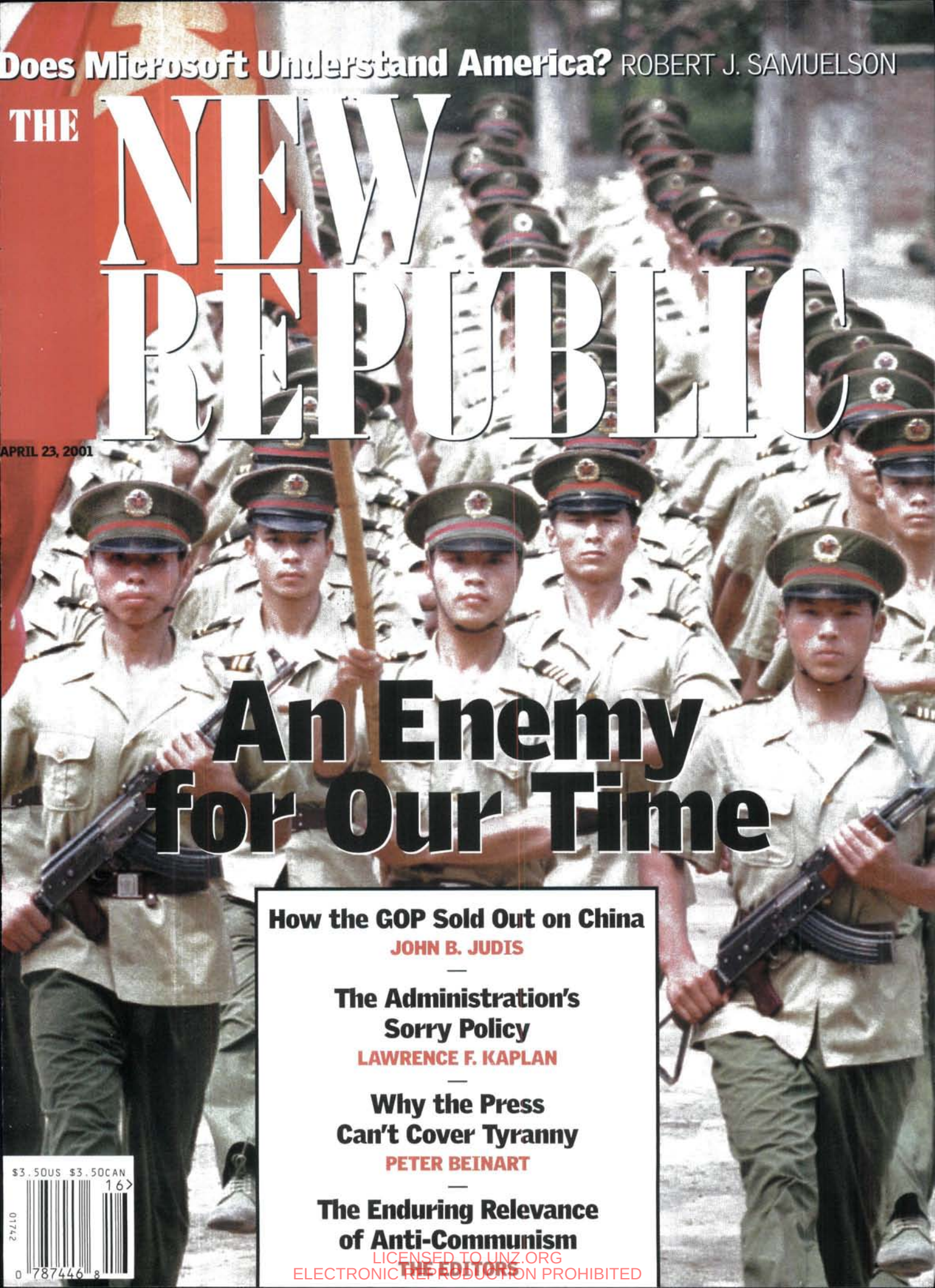
Does Microsoft Understand America? ROBERT J. SAMUELSON

THE NEW REPUBLIC

APRIL 23, 2001



An Enemy for Our Time

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A Journal of Politics and the Arts

WASHINGTON, D.C.
APRIL 23, 2001
ISSUE 4,501

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THE NEW REPUBLIC, Vol. 225, Number 17, Issue 4,501, April 23, 2001. (Printed in the United States on April 11, 2001.) Published weekly (except for combined issues dated January 1 & 8, April 9 & 16, July 9 & 16, August 27 & September 3, 2001 and December 31, 2001 & January 7, 2002) at 1220 19th Street, NW, Washington, D.C. 20036. Telephone (202) 331-7494. For advertising inquiries, please contact Ann Rossaki at (202) 331-7494 or our NY sales office at (212) 924-8700. Yearly subscriptions, $59.94; foreign, $99.94 (U.S. funds); Canada, $79.94 (U.S. funds). Back issues, $4.00 (includes postage & handling). **© 2001 by The New Republic, Inc.****(ISSN 0028-6583). Periodicals postage paid at Washington, D.C., and additional mailing offices. Rights and permissions: fax (202) 331-0275. Indexed in Readers' Guide, Media Review Digest. Microform, Canadian Periodical Index, CD-ROM, issue, and article copies are available through University Microfilms Intnl., 300 N. Zeeb Road, Ann Arbor, MI 48106. Telephone 1-800-521-0600. Postmaster: Send changes of address to The New Republic, P.O. Box 37298, Boone, IA 50037-0298. Member, Audit Bureau of Circulations. Unsolicited manuscripts can be returned only if accompanied by a self-addressed, stamped envelope (e-mail address: tnr@aol.com). For subscription inquiries or problems call 1-800-827-1289 or visit our website at www.thenewrepublic.com.**

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CORRESPONDENCE

Stigmatized

TO THE EDITORS:
No one would mistake me for an apologist for my ex-boss President Clinton, but Andrew Sullivan's calling him a "psycho" is too much for me ("Psycho," March 12). In my four years as White House press secretary, I coordinated annual reports on the president's health—physical and mental—and I relied on a skilled, dedicated team of career military doctors responsible for the president's care. We debated the obligation to share public information about the president's health, balanced against the need to protect patient-doctor confidentially. We arrived at a reasonable result. Doctors gave summaries of their clinical exams and certified their findings in writing. None of them ever indicated publicly or privately any hint of a mental disorder in Clinton, and, yes, I did ask.

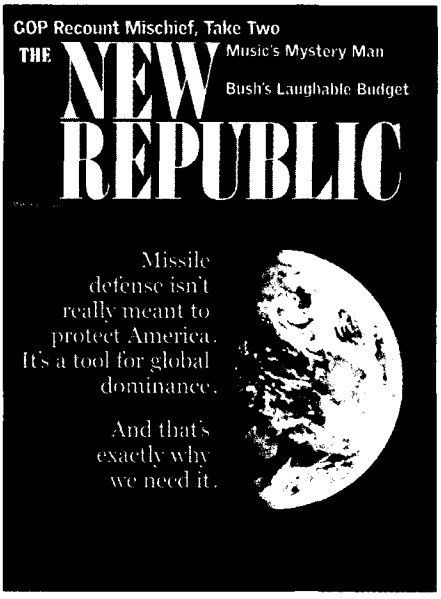
MIKE MCCURRY
Washington, D.C.

TO THE EDITORS:
In "Psycho," Andrew Sullivan is befuddled by the key question—"Why?"—that we all ask of apparently irrational human behavior, be it of a president or a 15-year-old schoolyard shooter. Sullivan does what many people do in the face of inexplicable actions: He attributes the behavior to mental illness. And to back up his conclusion, he cites the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV).

I appreciate Sullivan's recognition that mental illness is "real, and it shouldn't be stigmatized." But by inappropriately suggesting a diagnosis by matching symptoms in Column A with the DSM-IV criteria in Column B, he has stigmatized mental illness by trivializing the diagnostic process. Let the DSM-IV speak for itself: "The diagnostic categories, criteria, and textual descriptions are meant to be employed by individuals with appropriate clinical training and experience in diagnosis. It is important that DSM-IV not be applied mechanically by untrained individuals. The specific diagnostic criteria included in DSM-IV are meant to serve as guidelines to be informed by clinical judgment and are not meant to be used in a cookbook fashion."

DANIEL B. BORENSTEIN, M.D.
President
American Psychiatric Association
Los Angeles, California

TO THE EDITORS:
Obviously, Andrew Sullivan cannot tol-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erate ambiguity. For him, Bill Clinton's inexplicable behavior can only be understood with a reading of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. Sullivan's need to bring clarity and closure to the Clinton debacle by suggesting pathology indicates a glaring timidity in dealing with the imponderable nature of the human condition.

RAYMOND J. SAUER
Reading, Pennsylvania

Qualified yes

TO THE EDITORS:
Jonathan Chait believes that a diverse Cabinet compromises the meritocratic ideal ("Color-Blind," March 12). Does Chait really believe that previous Cabinets of (well-connected) white men represented the meritocratic ideal? And does he really believe there are so few (well-connected) minorities skillful enough to hold Cabinet positions that a diverse Cabinet automatically falls short of the meritocratic ideal?

Chait states that "[h]onest advocates of affirmative action admit that it is worth sacrificing a little meritocracy for the sake of diversity." Baloney. How many white people hold jobs for which they are unqualified? Meritocracy is a sham in part because it's so hard to measure merit. But Chait assumes that white people in a talent search are inherently qualified and minorities aren't.

Chait looks sharply askance at the credentials of minority Cabinet members to prove wrong any assertion that a president is merely hiring the best candidates, but he fails to similarly scrutinize the credentials of white Cabinet members. Was James Watt really the best candidate to be Ronald Reagan's interior secretary? Was John Ashcroft really the best candidate in all the land to be George W. Bush's attorney general? If "unqualified" minorities are getting jobs these days that formerly went to whites, that's a tremendous sign of progress, because unqualified whites have had their day for far too long.

STEVE RHODES
Senior Editor
Chicago Magazine
Chicago, Illinois

Rowboats

TO THE EDITORS:
Lawrence F. Kaplan should consider that ballistic missiles are not the only way rogue states can threaten our cities with nuclear weapons ("Offensive Line," March 12). Low-flying planes, rowboats, and even handheld suitcases can also be effective delivery systems and might launch their lethal cargo from almost anywhere, since small but highly destructive nuclear arsenals can be hidden almost anywhere, not just in the territory of the country launching a low-tech strike.

And since the United States can't even manage to seal its borders against the influx of illegal drugs, Kaplan's vaunted "defense" system will only prove to be the latter-day equivalent of the Maginot Line, with possibly even more destructive consequences.

GENE EPSTEIN
New York, New York

Fantasy in white

TO THE EDITORS:
John McWhorter's review of Donald Bogle's *Primetime Blues* emphasizes the half-full glass of American television—the great increase in visibility of black actors and their escape from narrow stereotypes ("Gimme a Break!," March 5). In his determination to celebrate racial progress, however, McWhorter dismisses too readily the other half of the glass. Consider two examples of the ways that television continues to insinuate a racial hierarchy. Our analysis of prime time (published in *The Black Image in the White Mind: Media and Race in America*) showed that blacks who occupy managerial roles in series such as *ER* and *NYPD Blue* have almost no interactions with white characters that go beyond job-oriented tasks. That sends a message both reflecting and reinforcing racial separation. Or take prime-time advertising. In our sample of nearly 1,500 commercials, 105 promoted autos and depicted just one racial group. Every one of these was

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all-white. How many commercials have appeared in which a black man passionately caresses a black woman (let alone a white woman)? In our sample, there were none, though there were plenty of whites engaging in intimacy. In these and many other ways, advertising teaches that the prototype of real success and happiness, the object of desire and achievable fantasy, is white.

Acknowledging such facts does not imply, as McWhorter suggests, that critics expect television to pursue a mission of eradicating racism. It does demand that we recognize the long way still to go before this society (and its mass-culture industry) can pat itself on the back quite as vigorously as McWhorter recommends.

ROBERT M. ENTMAN
Professor and Head of Communication
North Carolina State University
Raleigh, North Carolina

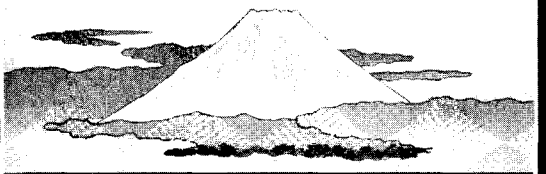
ANDREW ROJECKI
Assistant Professor of Communication
University of Illinois at Chicago

JOHN MCWHORTER REPLIES:

Robert M. Entman and Andrew Rojecki's discomfort with the notion that anyone might deign to "celebrate racial progress" is, alone, indication that what mars Donald Bogle's book and channels Entman and Rojecki's letter is more a paradoxical ideology than empirical analysis. I cannot argue with their findings regarding a handful of series. However, the general conclusions they draw are valid only if applied to a broader sample. No one who regularly watches a wide range of TV programs could argue that blacks in prestigious positions rarely interact socially with the whites they supervise. This is most certainly untrue of *Boston Public*, *Touched by an Angel*, and *The Weber Show*, and it was not true of shows of the 1990s such as *Herman's Head*. And let us not forget that the moment these black supervisors get *too* cozy with their employees, the characters are castigated as "deracialized" by the victimhood squad. Finally, I suggest that Entman and Rojecki watch Black Entertainment Television for roughly 45 minutes if they feel that TV viewers never see commercials in which blacks express affection.

I have not argued that the situation for blacks on television is perfect yet. However, the glass is far more than "half full." Denying this will require ever nimbler statistical gymnastics as we get even closer to the parity that so many would rather detract attention from in favor of shrouding the black race in pity. ■

THE MAKING OF MODERN JAPAN



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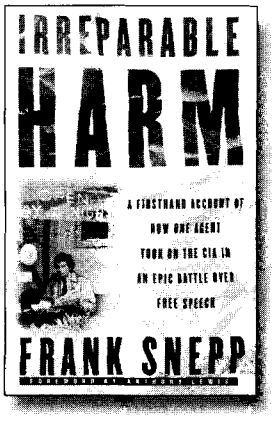

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TRB

FROM WASHINGTON

Private Opinion

THE PRESS SAID the showdown over the downed EP-3 was President Bush's first big foreign policy test. But it was a test for the press as well. And the press failed. Take this example, from the April 5 *Los Angeles Times*:

> Public anger, however, is a growing problem . . . for both countries. Several stories in China's media accused the U.S. of violating the nation's sovereignty with surveillance flights and making unreasonable demands. The national evening news telecast interviews with residents who expressed anti-American anger. And three students carrying a Chinese flag tried to approach the U.S. ambassador's residence, Reuters news service reported. . . . In Washington, the Bush administration was also under mounting pressure from its right flank.

Note the moral equivalence: "Both" countries face "public anger"; Washington "also" faces mounting domestic pressure. To illustrate the American side of the equation, the *Times* quotes several congressmen—who are presumably in touch with "public anger" because their jobs depend on it. But how did the paper discover the sentiments of the Chinese people? First, there were "several stories in China's media." But that media is, of course, an arm of the government. Next, there were "interviews with residents"—interviews conducted by that same media. And, finally, there was the fact that three Chinese "students" approached the American embassy. This third piece of evidence is the only one that carries any weight at all—and even here, when "students" under a totalitarian regime take to the streets to denounce the regime's rivals, you need to do a little sleuthing to make sure they're not doing it at the regime's behest.

The *Times* was only the most blatant offender. On April 6, *The Washington Post* cited "analysts" saying that "China's Communist leaders . . . risk angering a nationalistic public." But the only "analyst" it quoted was the "government-run *China Daily*." The same day, *The New York Times* wrote, "The [Chinese] leaders are giving vent to the anger many Chinese have expressed at the exposure of routine American spy flights near their shores." Three days later, the Gray Lady explained that "the two sides, in full view of their increasingly aggrieved publics, have drawn their semantic lines in the sand."

The test these papers failed is the same one they faced during the cold war: how to report on the domestic politics of a dictatorship. It's not easy. Newspapers gather information; police states suppress it. In the absence of freely elected representatives, free expression, and a free press, American correspondents didn't have reliable information about how the Chinese people felt about the EP-3 standoff. What they had was a propaganda machine designed to portray the Chinese people as angry at the United States, because that strengthened Beijing's hand in negotiations.

But when you face a society that's harder to report on than a democracy, what you don't do is pretend it *is* a democracy, and that the information in the public square credibly reflects what people actually think. After all, even if you could somehow prove that Chinese anger toward the United States was freely expressed, the news that generated that anger certainly was not. When the United States accidentally bombed China's embassy in Belgrade two years ago, China's state-run media didn't report for several days on America's assertion (let alone America's evidence) that the bombing was a mistake. So, even if the mobs that burned American flags did so of their own free will, they were still not freely expressing their opinions in the way Americans do.

Similarly, the Chinese press didn't cover American explanations of the EP-3 collision for four crucial days after it occurred. The Chinese weren't told that the United States—and the rest of the world—considers the territory over which the EP-3 was flying to be international waters. And they weren't told that the U.S. plane was probably too slow to have intentionally hit the Chinese fighters. Last Wednesday night, Chinese TV news was extended an extra 20 minutes in order to screen emotional footage of the Chinese airman's wife, who denounced the United States for indifference toward her husband's death. Those news programs conveniently declined to mention that the United States had offered help in rescuing him.

When the Chinese government wants to be "constrained" by public opinion, it gins that opinion up. And when it doesn't, it's perfectly capable of resisting it. The *Post* wrote that if the Chinese government looked too conciliatory, it risked "angering" the Chinese people. What a strange thing to say about a regime that killed thousands of those people on a single day. When American correspondents write about the Chinese government's decision to persecute the Falun Gong, do they say the government worried seriously about inflaming "public opinion"? Of course not. If public opinion mattered in China, China's leaders wouldn't be its leaders. They'd be in prison.

This is about more than just journalistic method. If we've learned anything from the dissidents of formerly Communist Eastern Europe, it's that totalitarian regimes survive by making whole populations complicit. They create a parallel universe in which objective truths are obscured by a web of state-disseminated lies. Those lies, big and small, filter into the marrow of people's lives, denying them the moral and even logical reference points against which to judge government actions. The great value of American condemnation of the Soviet bloc (Radio Free Europe, the Helsinki Accords) was that it offered objective reference points—not only universal standards of human rights but also basic facts about history and the world. That's the true purpose of moral pressure against a tyrannical regime, not that it cripples a regime's economy or shames its leaders but that it empowers its dissidents.

The Chinese government has also enveloped its people in a web of lies. Some of those lies may be flattering—that the entire South China Sea is Chinese territory, that Chinese pilots are always heroic. Others are less so—that the Tiananmen Square protests were the work of imperialist agents, that the Falun Gong is a cult that threatens the Chinese people. But all these lies are interconnected. When American journalists practice moral equivalence—acting as if China's statements about this crisis are as legitimate as America's—they strengthen that entire edifice of untruth. When they state for the record that the Chinese government is lying, they clear the fog that keeps it in power. Behind this week's crisis is not just a clash of nationalisms and spheres of influence. It is a clash between truth and untruth. As we begin the long struggle with China that lies ahead, the media needs to learn the difference.

PETER BEINART

ANDREW SULLIVAN is on vacation and will return next week. PETER BEINART's column, "Punditry," appears on Mondays at *www.thenewrepublic.com*.

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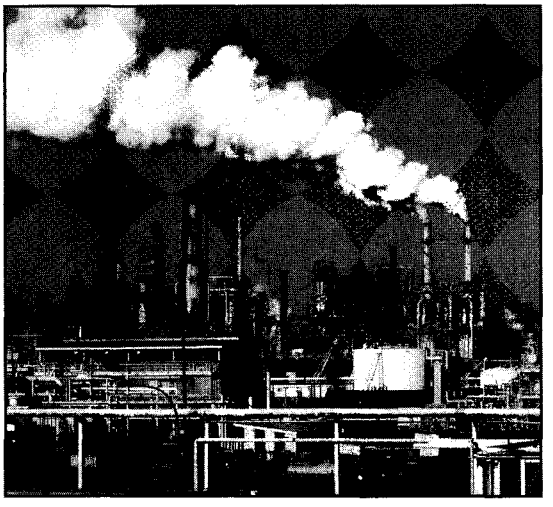

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It's Not Over

IT WAS A sweet triumph for the philologists of appeasement. On Sunday the secretary of state uttered the words "sorry" and "regret" and "sorrow," and on Wednesday the American ambassador in Beijing delivered a letter to the foreign minister of China advising that the United States feels "sincere regret" and "very sorry." Never mind that an American plane on a routine surveillance mission in international airspace had been disabled by a Top Gun from China who paid for his stunt with his life, and never mind that the American survivors of that Chinese stunt had been held against their will by China. The crisis was over, and American policy toward China could escape the pressure of congressional hearings and yellow ribbons, and return undisturbed to its customary pursuit of cash and abjection. But the crisis is not over, because the crisis is our China policy itself.

Did the American letter say *bao qian* or *dao qian*? We do not pretend to know and we do not pretend to care. From the beginning of this crisis, Chinese culture was used as an alibi for American concession. The media was suddenly riddled with little lessons about Chinese vocabularies and Chinese folkways. None of the talk shows managed to book Confucius himself, but Confucianism was everywhere. Suddenly the Chinese system of government was to be known above all for its sensitivity, and for the glamorously ancient origins of this sensitivity. All of this amounted to a huge, awful exercise in the application of the doctrine of "Asian values" to the discussion of foreign policy. Meanwhile the Chinese proceeded in their usual hard-boiled way, acting not in the interests of cultural authenticity but in the interests of global strategy. And now we have emboldened them.

Also abounding was the bizarre notion that the United States has little or no leverage over China. "It's quite possible for us to damage China," instructed J. Stapleton Roy, a former ambassador to China, but "we damage ourselves in the process." (Roy is a member of Kissinger Associates: surprise!) This is nonsense. The United States buys 33 percent of China's exports. China buys 1 percent of the United States' exports. This looks a lot like leverage to us. There is also the matter of China's membership in the World Trade Organization, and of the Olympics that Beijing fervently desires to host, and of the sophisticated weaponry that Taiwan wishes to acquire from America. Levers, levers, levers. But the Bush administration, which believes that the business of America is business, is failing at the business of America, which is not business. It is democracy.

In the aftermath of the suave American surrender this week, it is important to restate the principles that should form the foundation of American policy toward China. The first of those principles is the enduring relevance of anti-communism. Yup, anti-communism. For anti-communism never denoted merely an opposition to the Soviet Union and its empire. (Only the primitive right believes that it did.) Anti-communism was, rather, the most arduous and the most urgent instance of a foreign policy that acted on values as much as on interests, an idealistic foreign policy that adopted as its objectives the expansion of free societies and free markets. Such a foreign policy did not mistake the pursuit of those objectives for American imperialism. It also did not mistake the expansion of free markets for the immediate enrichment of American businessmen and consultants. Now, China is not exactly Communist; but it is not exactly not Communist either. Its leaders are embarked on a sordid experiment: they wish to prove that economic liberalization does not entail political liberalization, that capitalism can thrive in the bosom of authoritarianism. They are, in short, in transition from communism to fascism. But anti-fascism is the philosophical twin of anti-communism, or it should be. A non-Maoist tyranny in China is still a tyranny in China, and still a proper object of American opposition.

There is a converse to all of this, and its name is Taiwan. It, too, has been the scene of a momentous experiment—but this one is not sordid, it is splendid. The economic and political liberalization of Taiwan (it took a while, but it is done) is surely one of the most stirring developments of our time. How can the United States not support this amazing island? How can we not have a two-Chinas policy when there are truly two Chinas? For our Taiwan policy is no less a test of our integrity than our China policy. Liberals do not quite grasp this. On the question of Taiwan, liberals appear to hold Tony Soprano's view that out there it's 2001 but in here it's 1954. They are trapped in the past: they appear to believe that enthusiasm for Taiwan is a posthumous victory for Joe McCarthy. This is morally and strategically stupid. Surely the recent behavior of the Chinese government should incline liberals to give a fair hearing to Taiwan's requirements for its own defense.

But for now our "constructive engagement" with China is an affair of apologies and apologists. One day we really will be sorry. ■

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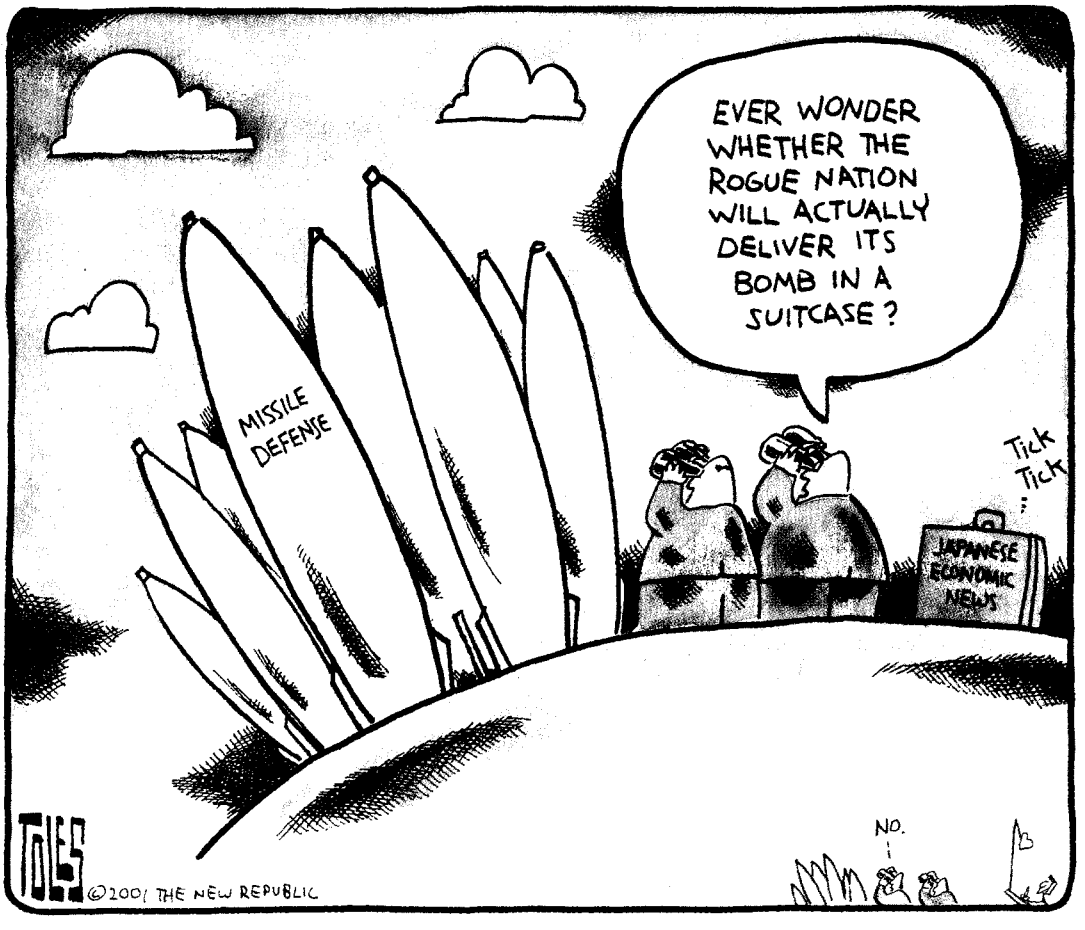
NOTEBOOK

HALF-TRUTH: If you've followed the coverage of President Bush's budget, you probably think the big story is his large increase in education spending. That's the White House spin, and most of the media have obligingly trumpeted it. *The New York Times*' front-page headline, for example, proclaimed, "FIRST BUSH BUDGET PROPOSES TO RAISE AID FOR EDUCATION." The story itself, like most media coverage, parroted the administration's claim that the Bush budget boosts education spending by $4.6 billion, or 11.5 percent. But this is flat-out wrong. The reason is that much of that supposed increase was already approved by Congress *last year*, i.e., when Bill Clinton was president. In truth, Bush is proposing to increase the budget by only 5.9 percent—a fact that was made explicit in the February 28 budget outline, written mostly by nonpolitical staff at the Office of Management and Budget. Correcting for "the distortion of advance appropriations," the document explained, the Bush budget "provides a $2.5 billion, or 5.9 percent increase." Since the release of the outline, however, the administration has removed this correction, evidently having decided that this particular "distortion" is politically advantageous. Of course, one could argue that, given the tightness of Bush's overall budget, 5.9 percent is a relatively healthy increase. But Congress gives a healthy boost to education almost every year. Over the last four years, for example, education spending has increased, on average, more than 10 percent per year. So the real story is that Bush is increasing education funding by barely half the amount it has increased in recent years. Perhaps someone should tell *The New York Times*.

KILLING THEM SOFTLY: In fact, education—which Bush advertised as his "top priority" during the campaign—seems to sink further toward the bottom with every month he spends in office. In addition to the administration's apparent surrenders on vouchers and testing (see "Only a Test," by Michelle Cottle, TNR, April 9 & 16), the White House now seems poised to drop its promise to hold disadvantaged children to high academic standards—to abolish, in Bush's memorable words, "the soft bigotry of low expectations." Buried deep within both the House and Senate versions of Bush's education plan is language that would essentially create a two-tiered system for measuring academic progress—one tier for "disadvantaged" students and another for everyone else. At issue is "adequate yearly progress," or AYP, a set of state and local goals for different subgroups of students (white, black, Asian; rich or poor; and so on) intended to reduce performance disparities between groups over time. Under Bush's plan, failing schools that didn't meet these goals would face certain federal sanctions. So far, so good. But the versions of Bush's plan making their way through Congress both create massive exceptions to AYP. According to the Senate bill, "Students ... from disadvantaged families" will be required to make only "statistically significant progress"; the House bill suggests the still-weaker standard of "measurable progress." Worse still, the bills leave it to each individual state to define what these terms mean. The White House, as a compromise, is proposing that failing schools be sanctioned if their low-income kids don't make 50 percent of AYP. What all three versions share is that they would codify lower expectations for disadvantaged children into federal law. That soft bigotry is about to get a little bit harder.

COME TO THINK OF IT, HELMS IS KINDA PINKO, TOO: Two years ago, New Hampshire Senator Bob Smith briefly left the Republican Party, claiming it wasn't conserv-



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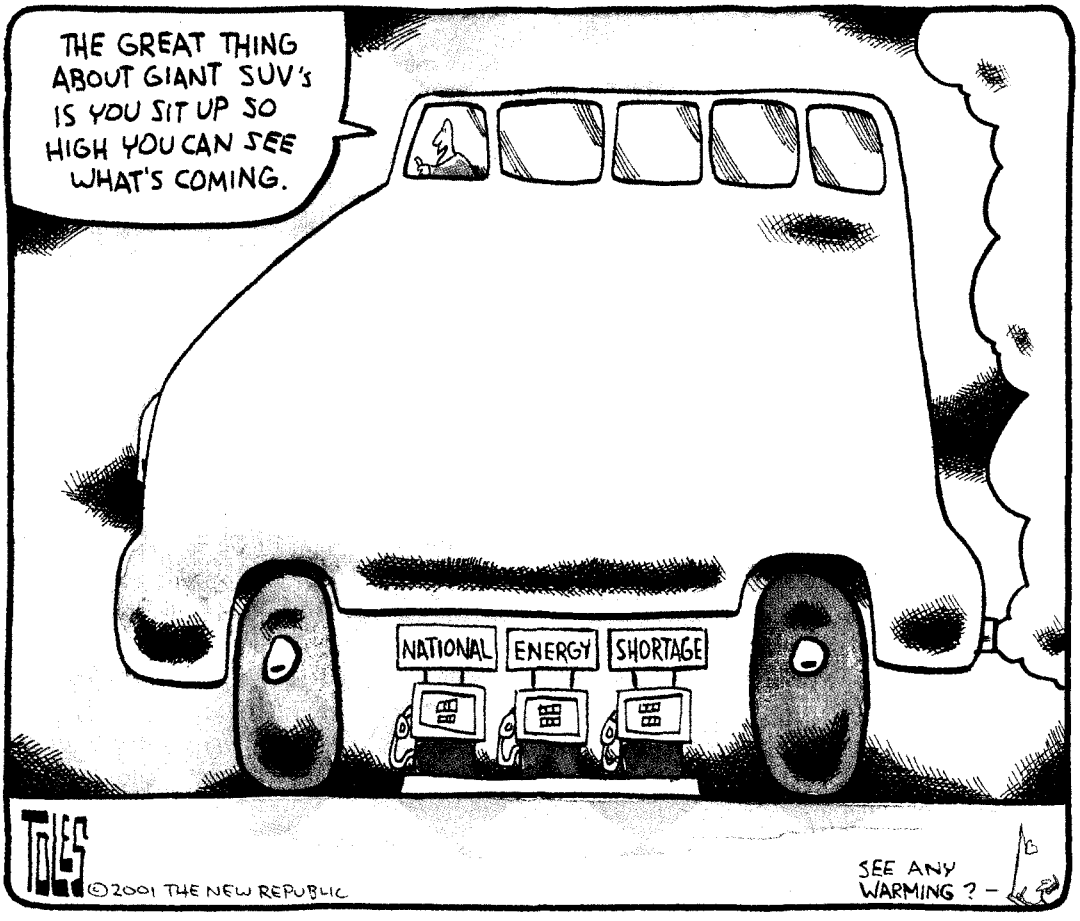
ative enough. Now, some in the party are saying the same of him. Prominent right-wingers from Manchester to Washington have lately complained that Smith is going soft—particularly on the environment, where he's recently broken with President Bush over Arctic drilling. Some even suggest he should step down when his term ends next year. "Bob Smith betrayed the conservative movement by whoring after the environmentalists," *über*-conservative Grover Norquist told *The Weekly Standard*. "The Republican Party and the conservative movement should say, 'Thank you very much; it's time for you to retire.'" It's a peculiar stance for Norquist, whose own Americans for Tax Reform last year gave Smith an issues score of 90 out of 100, qualifying him for "hero" status. The American Conservative Union did better still, according Smith a perfect 100. In fact, the real complaint against Smith has nothing to do with ideology; it's that it looks as if he'll lose. Two recent polls showed Smith trailing the likely Democratic nominee, Governor Jeanne Shaheen, by double digits. As a result, many Republicans are promoting a possible run by John Sununu, a popular Manchester congressman and son of the former governor and Bush chief of staff. Of course, Sununu, whose champions include such moderate Republicans as former Senator Warren Rudman, is significantly *less* conservative than Smith. All of which suggests that the real problem with Smith isn't that he's become too moderate. It's that he's still not moderate enough.

APOLOGIST, HEAL THYSELF: There are lots of problems with the deal that led to the release of our soldiers from China this week, but say this for it: It arrived before Jesse Jackson had time to mediate. Jackson said he has a track record of getting imprisoned Americans released. And that's true, because his method—offering dictators a public relations bonanza by sucking up to them in front of the world's cameras—tends to win tyrants' hearts. This time, in fact, Jackson began the abasement even before the trip began, calling on the White House to apologize. Then again, given Reverend Jackson's personal experience with the subject, maybe President Bush wouldn't have had to mean it.

EX-"POST" FACTO: The ethics cops have blown the whistle on us. An internal e-mail from *Washington Post* ombudsman Michael Getler, circulated last Friday and reported by *Slate.com* on Tuesday, nailed *Post* reporter Michael Grunwald for a book review published in these pages. According to Getler, Grunwald's essay on Michael Tomasky's *Hillary's Turn: Inside Her Improbable, Victorious Senate Campaign* ("The Figure in the Carpetbagger," April 9 & 16) "goes beyond a review and is quite hostile in attitude toward Sen. Clinton." He continues, "the credibility of [Grunwald's] previous reporting, and the paper's guidelines for reporters which don't permit this kind of commentary in the paper, are put in question in a situation like this." So let's see if we follow: A *Post* reporter does work for the paper that, at the time of its publication, does not seem overly opinionated. He later writes an outside book review on a related subject in which he expresses strong opinions. And, apparently, this latter project calls into question his earlier work. Getler can hardly be complaining that Grunwald was not more upfront about his opinions in the writing he did for the *Post*. (That would, after all, be forbidden by "the paper's guidelines for reporters.") Clearly the problem here (as *Slate.com* also notes) is either that Grunwald later expressed his opinions in a venue suited to such expression or that he had any opinions in the first place. We await a clarification. ■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White House Watch

Salvation

By Ryan Lizza

In late March, President Bush traveled to an obscure corner of Washington, D.C., to give one of the most striking and underreported speeches of his presidency. It wasn't about education reform or tax cuts. In fact, it had little to do with Bush or his administration at all. It was rather a simple, eloquent, Christ-drenched tribute to Pope John Paul II, offered to commemorate the opening of the Pope John Paul II Cultural Center at Catholic University. "The pope reminds us," Bush told the gathered clergy, politicians, and civic leaders, "that while freedom defines our nation, responsibility must define our lives. He challenges us to live up to our aspirations, to be a fair and just society where all are welcomed, all are valued, and all are protected. And he is never more eloquent than when he speaks for a culture of life. The culture of life is a welcoming culture, never excluding, never dividing, never despairing, and always affirming the goodness of life in all its seasons. In the culture of life we must make room for the stranger. We must comfort the sick. We must care for the aged. We must welcome the immigrant. We must teach our children to be gentle with one another. We must defend in love the innocent child waiting to be born." Pro-choice Democrats in attendance, like Ted Kennedy, shifted uncomfortably in their seats. But the rest of the audience rose in a standing ovation.

It was a remarkable moment, but not an isolated one. Bush has courted the Catholic vote more doggedly than any modern president, explicitly—and often eloquently—placing "compassionate conservatism" within the context of the Catholic tradition of aiding the underprivileged and protecting the sanctity of life. The president makes a point of meeting with local bishops wherever he travels, but especially on visits to swing states. He has made Catholic leaders fixtures at White House events, and his political staff holds a weekly conference call with conservative Catholics. The reason for all this attention? Bush advisers have concluded that what they call the "religiously active Catholic" vote was the key to W.'s narrow victory in November. And they believe it could bring him a landslide in 2004.

On Election Day 2000, exit polls showed that 65 percent of voters thought the country was on the "right track." According to political science models, this economic contentment should have presaged a decisive victory by Al Gore. But alas for Gore—and for political science—last year's election was not a function of the economy, stupid. In those same exit polls, 57 percent of voters described the "moral climate of the country" as "seriously off on the wrong track." Of those voters, Bush won two-thirds; Gore, meanwhile, won 70 percent of the smaller group that was content with the country's moral course. This schism over values is one indication of the most striking demographic division of last year's electorate. More than by age, income, race, or gender, the electorate was split in half by religion—or, more precisely, by religiosity. About two-thirds of voters who say they never attend religious services chose Gore, while a nearly identical percentage of voters who frequently attend services picked Bush. As John Kenneth White, a professor at Catholic University who is writing a book on the values divide, puts it, "The more you attend church, the more likely you are to vote Republican."

This split has been a long time in the making. The migration of religious Americans into the Republican Party began 30 years ago, led by white evangelical Protestants, who now make up 40 percent of the GOP presidential vote. What was new last year was the success Bush had in attracting a long-cherished Republican target: religiously active Catholics. Michael Barone, co-author of *The Almanac of American Politics*, calls this success "one of the untold stories of the campaign." Working through a "Catholic Task Force" at the Republican National Convention, the Bush campaign compiled a list of almost three million active Catholics in 14 states. Over the course of the campaign, each household on the list received at least two phone calls and two pieces of mail, highlighting such issues as violence, sex on television, gay leaders in the Boy Scouts, same-sex marriage, and abortion. In addition, Bush subtly wove Catholic themes into his speeches (see "Spin Doctrine," by Franklin Foer, TNR, June 5, 2000) and met with Catholic leaders during stops across the country. There was even a special skybox at the Republican convention in Philadelphia to showcase prominent Catholics. Other Bush aides worked assiduously to place pro-Bush articles in the newspapers of the nearly 200 U.S. dioceses.

Fortunately for the Bush campaign, its efforts coincided with an increased willingness by Catholic leaders to involve themselves in national politics—a trend that mirrors evangelicals' earlier move to the GOP. In previous elections, the National Conference of Catholic Bishops had distributed a lengthy and little-publicized document outlining the Church's position on a variety of political topics—abortion, aid for the poor, and so on. Last year, the group produced a shorter, simpler version more explicitly intended to serve as a voter guide; copies were sent to every Catholic parish in the country, with accompanying materials encouraging local church leaders to host candidate forums and register voters. A press release urged, "Bishops to Catholics: Get politically involved in 2000 election." A group called Priests for Life went further still, running TV and newspaper ads calling on Catholics to support anti-abortion candidates.

All of this paid off. Deal Hudson, one of Bush's principal Catholic advisers and the editor and publisher of the conservative Catholic magazine *Crisis*, says, "Karl Rove has said several times that of all the basic target groups, Catholics were the most responsive." Despite narrowly losing the popular vote, Bush won religious Catholics by the same margin Ronald Reagan did in his 1984 landslide. More importantly, the combination of religiously active protestants and Catholics made up 54 percent of Bush's total vote. But, while 84 percent of religiously active white evangelicals voted for

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Americans Are Dying for FDA Reform

Henry I. Miller is a research fellow at the oover Institution and the author of *To America's Health: A Proposal to eform the Food and Drug Administration.*

New medicines are the most cost-effective means of treating disease. Increasingly, they will replace more expensive and invasive medical treatments and, therefore, can reduce overall health care costs. But the regulation of new drugs is a shambles. Drug regulation, a monopoly of the federal Food and Drug Administration (FDA), has become overkill and actually threatens public health. Regulation by the FDA is slow, bureaucratic, and expensive, and **drug development in this country is more lengthy and expensive than anywhere in the world.** Bringing a single drug to market requires, on average, 12–15 years and upward of $400 million.

Americans are, literally, dying for fundamental reform of drug regulation. It can be done. We can remove the monopoly over regulation, introduce competition, and alter the existing distorted incentives to regulators that slow drug development and make it expensive. A reformed drug review system can retain the legal requirement for premarket demonstration of new drugs' safety and effectiveness, the FDA's final sign-off authority for product marketing, and the agency's responsibility for overarching safety issues. Thereby, we can maintain existing standards of product purity, potency, and quality.

The change would be that day-to-day oversight of drug testing and review of the application for marketing approval would be performed by nongovernmental, FDA-certified entities. The FDA thereby becomes primarily a *certifier of certifiers,* rather than a *certifier of products.* Delegating a significant portion of the oversight responsibility to these nongovernmental certifiers will generate competition among the certifiers for drug companies' business and create pressure for greater efficiency in the oversight process.

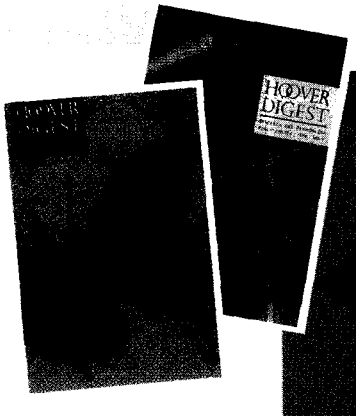
Although we tend to take government regulatory monopolies for granted, they are not sacrosanct. Nongovernmental, nonmonopolistic regulation of consumer products operates efficiently and safely in the United States and abroad. Nationally Recognized Testing Laboratories, the prototype of which is Underwriters Laboratories, certify more than 16,000 categories of consumer products, many of which, such as electrical equipment and fire-resistant building materials, present potential hazards.

Another example is the regulation of medical devices in the European Union (EU), which relies heavily on various sets of product standards and does not involve government regulators directly in product oversight. For low-risk devices, such as tongue depressors, manufacturers are allowed to certify that their products meet the necessary standards. For higher-risk devices, manufacturers must obtain third-party reviews from private sector "notified bodies," which test products, inspect manufacturing systems, and verify that EU standards have been met. Following this certification, the products can be marketed. Because these notified bodies vie with one another for business, they have reason to be expeditious but thorough. As a result, **approval of new medical devices in Europe takes only half as long as in the United States,** shortening the development process by roughly two years without compromising safety.

FDA reform that introduces incentives to get safe, effective drugs to patients can transform the drug development process and reverse the current upward spiral of increasing time and costs. The public will benefit directly by earlier access to greater numbers of less costly drugs and indirectly by greater robustness and productivity in the pharmaceutical industry.

— *Henry I. Miller*

Paid for by the Hoover Institution, Stanford University



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Bush, only 57 percent of active Catholics supported him. If the GOP continues its gradual absorption of voters of faith, that remaining 43 percent of active Catholics, more than four million voters, will be the most available segment of the entire electorate for Bush. According to Hudson and Steve Wagner, a Bush adviser who has been studying Catholic voters for several years, cranking up that segment of the Catholic vote—conveniently clustered in several swing states Bush lost—to white evangelical levels is the key to forging an enduring GOP majority coalition.

During Bush's first few months as president, he has continued to court Catholics as aggressively as he did in the wake of his disastrous visit to the anti-Catholic Bob Jones University a year ago. The day after the inauguration, Rove called Hudson and asked him to arrange a meeting between Bush and Cardinal Theodore McCarrick, the newly installed leader of Washington's Catholic community. A few days later, Bush, National Security Adviser Condoleezza Rice, White House counsel Al Gonzales, and an assemblage of bishops and cardinals dined at McCarrick's official residence. A week later, on January 31, Bush hosted several dozen Catholic intellectuals at the White House to discuss Catholic charities. And, the week after that, he held a one-on-one meeting at the White House with Boston's Bernard Cardinal Law. Just as he did during the campaign, Bush tries to make time during stops around the country for short visits with local Catholic leaders. On a February trip to St. Louis, for example, he met with Archbishop Justin Rigali, and during a recent stop in Beaver, Pennsylvania, he visited with Pittsburgh Bishop Donald W. Wuerl. And at the end of March, the day before his speech at the John Paul II Cultural Center, Bush hosted some 60 cardinals, bishops, and Catholic leaders in the East Room of the White House.

MATTHEW MARTIN

Several Bush staffers are heavily involved in the Catholic strategy. The Republican National Committee (RNC) is reviving its Catholic Task Force, which will now include a staffer who concentrates on Catholic Hispanics. In the speech-writing shop, Michael Gerson, an evangelical with a keen understanding of Catholic teaching, has been joined by Peter Wehner, a former aide to GOP Catholic luminary Bill Bennett. In the public liaison office, Tim Goeglin, a former aide to Gary Bauer who later did religious outreach for the Bush campaign, serves as the point man for Catholics. One of his responsibilities is hosting a White House conference call, on Thursdays at eleven o'clock in the morning, with Catholic leaders—including Wagner, Hudson, Princeton's Robert George, and the Acton Institute's Reverend Robert Sirico, among others. (The weekly calls are separate from a Monday conference call with social conservatives because the White House has determined that religiously conservative evangelicals and Catholics are best dealt with as two completely different constituencies.) Hudson says the calls enable Catholics to help "shape policy and to influence personnel decisions." The calls played a role in torpedoing Montana Governor Marc Racicot's bid for attorney general (Racicot was deemed insufficiently anti-abortion) and, more recently, in ensuring that Jim Nicholson, a devout Catholic and former chairman of the RNC, was installed as ambassador to the Vatican rather than a campaign donor or lapsed Catholic.

Bush advisers like Hudson and Wagner see the administration's outreach to religious Catholics as a model for a broader effort to woo religiously active Hispanics and blacks as well. (Bush's Office of Faith-Based Initiatives, run by a born-again Catholic who works closely with urban black ministers, fits this larger strategy.) But an effort to position Republicans so explicitly as the Party of God carries political risks as well. As Wagner notes, it entails an emphasis on America's "moral crisis" and an unambiguous commitment to being pro-life—a position that there's "some institutional reluctance to fully embrace" in the GOP. That's an understatement: Many Republican strategists think that stressing abortion is crazy. More broadly, some worry that Bush's "values coalition" is fleeting, a product of Clinton-era sleaze combined with eight years of economic boom. "There is an argument to be made that when the economy is wonderful our emphasis shifts to other things, like values," notes Republican pollster Whit Ayres. The question, he says, is, "Can the shift toward an emphasis on values withstand a declining economy?" Looks like the White House will soon find out. ■

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Why the Florida GOP isn't moving on.

Holding Court

By DIANE ROBERTS

"AFTER A DIFFICULT election," George W. Bush said following the U.S. Supreme Court decision that handed him the presidency last December, "we must put politics behind us." And, since then, every time Democrats or journalists have tried to investigate what happened in Florida, the national GOP has responded with a thunderous five-word reply: It's Time to Move On.

But, in Florida itself, local Republicans haven't quite gotten the message. Their actions over the past several months bring to mind a sentiment rather different from closure: payback. In particular, payback to the Florida Supreme Court, which said the vote recount should go forward when state Republicans desperately wanted it to stop. And Florida's GOP pols have a plan to guarantee that never happens again: make the state judiciary a subordinate branch of government.

At the effort's center is Tom Feeney, Republican speaker of the Florida House, a man who notoriously said that Haitian refugees wanted to enter Florida just for the welfare benefits and whom the late Governor Lawton Chiles called "sort of the David Duke of Florida politics." Feeney's distaste for the Florida Supreme Court—of which six of seven justices were appointed by Democrats and which has, over the past couple of years, handed down what Feeney deems liberal rulings on abortion and the death penalty—predates the recount. For the last two years he has backed (failed) efforts to cut the court's funding drastically and to amend the state constitution to allow Governor Jeb Bush to appoint two additional justices more to his ideological liking.

But this year Feeney's plotting against the court has taken on an air of obsession. In his speech on the opening day of Florida's legislative session last month, Feeney snarled that the court's postelection decisions showed a "tremendous lack of respect" for "the laws of the state of Florida and the legislature." And then his GOP colleagues introduced a blizzard of legislation aimed at teaching it some.

Feeney's Republicans are pursuing a scattershot approach: shoot many bullets at the courts and see which ones hit. The mildest of the proposed measures, which has passed the House, empowers the governor to appoint all nine members of each of Florida's 26 Judicial Nominating Commissions. (Currently, three members of each JNC are chosen by the governor and three by the Florida Bar; three nonlawyer members are then appointed by those six members.) Since the JNCs forward the governor names for consideration as Supreme Court justices or appellate court judges, having the governor name every member of the panels would eliminate one of the few checks on his power. Outside of Senate confirmation hearings—which in a GOP-dominated Senate tip in his favor—the legislation would essentially give him total power to reshape the Florida courts in his ideological image.

Several of the other bills up for consideration contradict one another. But each would reduce the judiciary's independence from state politics. One, by central Florida Republican Carey Baker, calls for making all seats on the Florida Supreme Court elected—currently, the governor appoints someone when a vacancy occurs, and after six years that person comes up for "merit retention" (his or her name appears on the ballot, and voters choose "yes" or "no")—and limiting justices to one eight-year term. But another, by Republican Representative Fred Brummer, Feeney's point man on the courts, would have governor-appointed members of the JNCs forward nominations back to the governor—essentially allowing the governor to fill all judicial vacancies with barely any outside consultation at all.

Brummer's name is also on an enormous joint resolution that *St. Petersburg Times* columnist Martin Dyckman calls the "Armageddon amendment." Among other things, it would effectively abolish the Florida Bar by prohibiting any professional association from requiring dues from lawyers. This would be a devastating blow since the Florida Bar currently appoints lawyers to three seats on each JNC, regulates the legal profession in the state, and is constitutionally required to carry out the mandates of the state Supreme Court. Overall, the Florida Bar has more much influence on the Florida judiciary than the American Bar Association had nationally before George W. Bush sidelined it.

The "Armageddon amendment" would also remove limitations on a judicial candidate's right to participate actively in a political party, endorse candidates for election, or make public statements about a political issue (say, abortion or school prayer). This would politicize judicial races or appointments (depending on which option passes); it could even pressure judges to indicate how they might rule on controversial matters. Finally, the amendment would mandate a two-thirds super-majority vote for an appellate judge or Supreme Court justice to win reelection—which means a minority of voters could kick a judge off the bench. (Putting the two-thirds super-majority into perspective, in a legislative or executive election a two-thirds, or 66 percent, vote is considered a landslide. Jeb Bush received only 55 percent of the votes cast for governor in 1998.) Legal scholars say that if the amendment passes, appellate judges would probably turn over with every election. And, in order to have a chance of retaining their seats, they might shy away from tough, unpopular rulings.

Even some people who sided with the GOP in the recount fight find Feeney's crusade against Florida's separation of powers too much to bear. Barry Richard, George W. Bush's counsel before the Florida Supreme Court last fall, testified

DIANE ROBERTS, professor of English at the University of Alabama, writes about Florida and national politics for the *St. Petersburg Times*.

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before a legislative committee on March 14 that allowing the governor to appoint every member of the JNCs or going back to electing high-court judges would re-politicize the judiciary. "When I graduated from law school thirty-three years ago," he said, "the judiciary in this state was in a very sorry state of affairs. Most judges were chosen through political patronage. Lawyers were hired to appear in cases not because they were qualified but because they knew the judge involved.... What concerns me is that we not take some giant step backwards to days in which judges are placed once again in the political arena."

It is unclear how far Feeney and the House Republicans will get, since the Senate, led by the more moderate Republican John McKay, has not yet declared an intention to bomb the judiciary back to the stone age. McKay has said that wholesale judicial reform is not a priority. But at least in the House, where Republicans outnumber Democrats 77 to 43, Feeney will get what he wants. As for Jeb Bush, the immediate beneficiary of many of the House's proposals, he's lying low, just as he did in the postelection melee, "allow[ing]," he says, "the process to work." But the "process," at least in Florida, worked last fall, when the courts were still independent. The real question is whether it will once Feeney and his fellow zealots have reduced Florida's three branches of government to two and a half. ■

Moscow Dispatch

Station Break

By PETER BAKER *and* SUSAN B. GLASSER

THE CROWDS THAT surrounded Boris Yeltsin as he clambered on top of a tank ten years ago are back. They have invaded Moscow's historic Pushkin Square and flocked to the Ostankino headquarters of NTV, where barricaded journalists resist a hostile takeover by forces allied with Vladimir Putin's Kremlin. They wave signs and mount military buses sent to monitor their rallies. They shout slogans and pump their fists. They quote Pushkin and blast Putin.

But look closely, and you can see why Putin is not fazed by the crowds in the streets. These are the faces of the older generation, the ones who campaigned against the Soviets and who can still cite chapter and verse of their struggles against Article 6 (the provision guaranteeing the Communists their one-party monopoly). College students and other young people, the backbone of most powerful mass movements, are hard to find. To the Kremlin, the rallies are little more than a reunion for the intelligentsia Putin scorns.

In fact, as NTV's enemies set about seizing Russia's only major independent TV network, not only are the broader masses not up in arms but many Russians, if not most, are actually on the government's side. State-controlled Gazprom, the energy monopoly headed by a Putin aide, carried out the boardroom coup that ousted NTV founder Vladimir Gusinsky and General Director Yevgeny Kiselyov the same day Putin delivered his annual state of the union speech. They didn't think their move would embarrass the government at home. In fact, the NTV takeover could be seen as an essential part of the message of Putin's speech. The revolution is over, Putin declared in his address. Order, not openness, is his mandate. "Firm and economically supported state stability is a good thing for Russia," he said, especially "following a tempestuous decade of reforms."

While the pro-NTV crowds in Moscow and St. Petersburg in recent days have been substantial, Putin knows they represent only a slice of the population. Outside these two cosmopolitan cities, the rest of Russia is disengaged from the drama at Ostankino, unlike the moment a decade ago when the country was transfixed by Yeltsin's dramatic showdown with the Communists outside the parliament building. NTV does not even reach throughout Russia's eleven time zones, and ORT and RTR, the other two major networks, both state-owned, often ignore developments that might cast Putin in a harsh light. One recent poll showed that 52 percent of Russians believe NTV would work the same or better if it belonged to the government. Another, released last month, revealed that 57 percent want to reintroduce censorship.

TO UNDERSTAND WHY, consider Russia's abbreviated and disillusioning experience with free speech. Since the end of totalitarianism, the country has developed a robust print media. Moscow alone has 26 daily newspapers, ranging from unreconstructed Red rags to sensationalist tabloids that could compete with any on Fleet Street. But, in many cases, control has simply passed from the self-interested hands of the government to the self-interested hands of the tycoons known as "oligarchs." These rich businessmen have used their power to exploit the country's news columns in much the same way they have exploited its oil, aluminum, and other natural resources. Furthermore, not long ago a stunt by a Moscow public relations firm demonstrated that the media is, quite literally, for sale. The company, Promaco, sent out a news release hyping the "grand opening" of a new electronics shop and offered payments ranging from $135 to $2,000 to newspapers that published it as a news article. Of the 21 daily and weekly newspapers that received the release, 13 published it. Never mind that there *was* no new store; it was all a hoax to prove a point. The practice is so common here that it has a name—*zakazukha*, news-by-order.

And not just for money has the media compromised itself. Both Gusinsky, the former theater director who founded NTV, and Boris Berezovsky, the former Kremlin insider who once ran the state-owned ORT, used their networks to advance their political agendas. The most blatant example came in 1996 when both stations promoted Yeltsin's reelection night after night while ignoring or maligning Communist challenger Gennady Zyuganov. They justified the blatant bias by saying freedom could never survive a Communist vic-

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tory. But there could be no such high-minded rationalization three years later, when the two networks took opposite sides in the race to replace Yeltsin—with Gusinsky's NTV cheerleading for Moscow Mayor Yuri Luzhkov and Berezovsky's ORT tearing him down.

Putin, who won the presidency last year after ORT helped destroy Luzhkov's national standing, never forgot Gusinsky's apostasy in backing another horse. More importantly, neither did the public. In a poll last year, 49.6 percent of Russians said the media was criticizing Putin in order to serve the interests of the oligarchs—more than twice the number who thought journalists were simply doing their jobs. And so, in a way, Gusinsky and Berezovsky, both of whom have now run afoul of Putin and fled the country, can blame themselves for the dearth of public support in their hour of need. "I can't deny my own guilt for what is happening today," Gusinsky recently told *The Wall Street Journal* from his villa in Spain, where he remains under house arrest while fighting an extradition request from Moscow.

So it should come as no surprise that the Russian masses haven't risen up against the attack on Russia's most professional and independent network, which in recent years has delivered hard-nosed stories on the war in Chechnya, official corruption, the government's mishandling of the *Kursk* disaster, and a calamitous energy crisis in the country's far east. Instead, Gusinsky's ouster looks to many like mere back-stabbing by feuding oligarchs: After all, Alfred Kokh, the Gazprom executive who has crowned himself chairman of the new NTV board, has hated Gusinsky ever since an acrimonious business battle years ago. In that case, many ask, what's the high principle to protest here? It looks less like an attack on the press than like business as usual, oligarch-style.

Public distrust of the mass media has given Putin a clear field to do with NTV what he will, with no apparent political consequence. Even before the Gazprom takeover, Gusinsky had been jailed more than once on allegations of fraud. His chief financial officer has been imprisoned for months. Company offices have been raided by police more than 35 times. Some 1.5 tons of documents have been seized. Putin disclaims any involvement, but his deputy chief of staff serves as chairman of Gazprom's board, and his appointed general prosecutor has been the one investigating Gusinsky.

Indeed, a year into his presidency, the NTV fight is only Exhibit A of Putin's drive to consolidate power. Having cowed parliamentarians in the Duma into submission, thrown the governors out of the Federation Council, and silenced the oligarchs who remained after Gusinsky and Berezovsky were forced out, Putin has no serious opposition left. He disavows authoritarian aspirations, insisting in an Internet interview with the BBC and a pair of Russian websites last month that "we will adhere precisely to democratic principles." But his own advisers are less sanguine. "Democracy has become a devalued word," Kremlin pollster Alexander Oslon said last year. "It was a word with which people associated hope.... Then hope turned to disillusionment. Now there are new words, 'order' and 'stability,' and hopes are attached to these words."

Until this month's takeover, the press was the only institution that could still meaningfully criticize the government's actions. Now, however, NTV's correspondents have abandoned detached TV journalism for politics, speaking at rallies, denouncing Putin and Gazprom, staging an on-air protest that has stretched from hours into days. The strategy has cost them dearly. Some of the network's most prominent reporters have jumped ship, complaining that they were being made into "cannon fodder," as one put it, in Kiselyov's campaign to keep control. And much of the Russian public has dismissed the "save NTV" campaign as just another example of journalism as propaganda. On the sidelines of one NTV rally recently, a woman named Larisa, young son in tow, glared at the protesters and offered her own judgment. "It doesn't matter if they shut NTV down," she said. "There will just be another channel." ■

Behind the administration's China cave.

Sorry

By Lawrence F. Kaplan

It's a ritual of American politics. First, a presidential candidate—Democrat or Republican, it doesn't really matter—pledges to get tough with the "butchers of Beijing" or to treat China as a "strategic competitor." Then he captures the White House, and the grown-ups around him—the wise men and captains of industry experienced in dealing with the Middle Kingdom—persuade the president to adopt a more "mature" stance. Avoid upsetting the exquisite sensibilities of China's leaders, they whisper; put their behavior in context, grasp their complexities, employ nuance, and, oh yes, promote U.S. investment and trade (it fosters democracy and prevents war). Before long the president is bowing to Beijing.

For George W. Bush, the policy hijacking began with, well, a hijacking—China's downing of a U.S. Navy EP-3 and the subsequent seizure of its crew. For a moment, Bush stood firm, demanding the "prompt and safe" return of the detained Americans. But the president's intemperance quickly elicited calls for "maturity" and "understanding" from both inside the government and outside. Kenneth Lieberthal, the Clinton administration's senior director for Asian affairs at the National Security Council (NSC) and one of the chief managers of its "strategic partnership" with China, complained, "We've handled this in a way that nearly required President Jiang to take a tough line." He summoned the Bush team to "handle China in a mature fashion." The time had come, echoed John Holden, president of the National Committee on U.S.-China Relations, for a "relationship that is a more mature one—and that can put

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issues like this in the proper context." J. Stapleton Roy, Bush père's ambassador to Beijing and a current resident of Kissinger Associates, sniffed that Bush's initial admonitions to Beijing "reflect a certain amount of inexperience" and the preferences of advisers "who are unrealistic in their expectations of how China should behave."

Luckily, Poppy's maturity squad arrived before things could spin out of control. Last month, a senior Chinese adviser, Liu Huaqiu, claimed he'd received assurances that "friends of China," like former National Security Advisers Brent Scowcroft and Henry Kissinger—both of whom represent companies looking to do business in the People's Republic—would intervene to "teach Bush" in the event of a crisis. And that's exactly what they've done. Kissinger advised the White House throughout the ordeal and, according to members of the Bush team, had weighed in on China policy even before the plane was taken. Scowcroft, too, spoke regularly about the crisis with his protégée Condoleezza Rice and tried to soften Bush's initial hard line. "I'm surprised Jim Baker and Al Haig haven't shown up yet," a senior Bush adviser joked. Alas, Baker had: Bush had talked China policy with his father's secretary of state and, of course, was on the phone throughout with his father.

BUT THE PRESIDENT needn't have reached so far for advice on dealing maturely with Beijing. Experienced practitioners are right by his side. At the NSC, Rice, who waged a campaign to soften the GOP platform's China plank at last summer's Republican convention and skirmished with hawkish Bush advisers during the campaign, faithfully touted the Scowcroft line. She's also been assuring businessmen that China's hostage-taking won't affect our broader relations with Beijing. Last week, newspaper tycoon Conrad Black hosted a dinner at the Phillips Collection featuring Rice as the evening's speaker. The national security adviser looked at the audience, where Kissinger and Scowcroft were munching away, and appealed to the crowd to wield its influence. Meanwhile, members of her NSC staff griped that Bush had been too bellicose in his pronouncements, which, they complained, could force Jiang Zemin's hand.

Compared with Colin Powell, however, Rice sounded like Jesse Helms. When Powell first arrived at the State Department, the administration's consummate grown-up advised of the need to "engage in an educational process" to enlighten the administration's China hawks. That process began last week. Even as the Bush team claimed it would never apologize for the collision, Powell—who's been relying for China counsel on foreign-service hands and former Pentagon allies known for their conciliatory stance—spent the entire week doing just that. On the Tuesday after China rammed the U.S. plane, Powell was the first to recommend that America express regret. On Wednesday, he began the bowing cycle—moving in the space of a few days from "regret" to "sorrow" to "we're sorry." Meanwhile, senior State Department officials suggested apologizing for the plane's landing in China almost as soon as it rolled to a halt. Foggy Bottom aides were also the ones who proposed thanking the Chinese for taking care of the aircrew. China, after all, supplied the runway, not to mention lodging.

And so, after only three days, the Bush team was issuing hourly expressions of contrition in a dozen dialects, exchanging drafts of apologetic letters with Chinese officials, devising euphemisms for "hostage," and studiously avoiding any hint of moral indignation. Finally, it caved altogether, apologizing for something the United States never did and thanking China for committing a crime. The administration, in short, kowtowed in ways that would make Bill Clinton blush.

SO MUCH FOR the adults. What happened to the adolescents? Lawrence Korb of the Council on Foreign Relations, for one, would like to "commend President Bush for not listening to some of the folks he has... who want a confrontation with China.... [Those included] some of the hard-liners, particularly in the Pentagon." In fact, at the outset of the crisis the White House let it be known that the Defense Department was not to utter a peep, lest it transform a minor incident into a military crisis. But Bush needn't have worried. Secretary of Defense Donald Rumsfeld had nothing to say on the matter anyway: Press reports to the contrary notwithstanding, he *supported* the conciliatory line promoted by Rice and Powell. Rumsfeld may take a hard line on Iraq, Russia, and North Korea, but when it comes to China, the former CEO isn't nearly as hawkish as his aides. As for Dick Cheney's team, some of its members grumbled privately about the State Department's squeamishness, but they, too, kept mum. Not to worry, Bush hard-liners averred. "The longer this goes on," said one senior administration hawk, "the sillier the 'sophisticated' arguments begin to sound."

But the episode only shows how silly those arguments were to begin with. In the looking glass that is America's China policy, "maturity" no longer just means turning a blind eye to China's human rights abuses and excusing its execrable international conduct. It now means abasing ourselves in the service of a lie. But kowtowing of this sort can only encourage China's conviction that it enjoys more room to maneuver than U.S. rhetoric suggests—which, of course, it now does. Worse, by eliminating any obligation to link punishment to offense, the administration has reinforced China's belief that it need not play by the rules of the international game and emboldened those in Beijing and around the world who view the United States as a paper tiger. All of which makes it likely that this crisis offers a preview of more to come.

Optimistic U.S. officials counter that the administration may take steps—perhaps reconsidering the Aegis sale to Taiwan, which the White House had been leaning against—to right the imbalance in U.S.-China relations. But their sternest gesture to date has been Powell's decision to absent himself from a party at the Chinese Embassy. In any case, the damage has already been done. "We'll stand up to those nations who deny freedom and threaten our neighbors or our vital interests," Bush declared a few weeks ago. The Chinese have now tested that proposition and found the new president wanting—but very mature. ■

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The decline of principled conservative hostility to China.

Sullied Heritage

By JOHN B. JUDIS

CHINA FORCES DOWN a U.S. plane, loots its precious cargo, detains its crew, and demands an American apology—it was the moment the conservative movement should have been waiting for. For a decade now the American right has fumbled about in search of moral clarity in the post-Soviet world. And there it was—a totalitarian, expansionist China humiliating America and trying to prevent it from protecting the vulnerable democracy of Taiwan. Beijing's response to the EP-3's emergency landing on Hainan Island should have been a conservative parable and a reminder that the conservative crusade against communism—perhaps the movement's finest achievement—is still relevant after all.

But the American right did not make the EP-3 the symbol of a new crusade. Though some conservative institutions waved their fists, others called for restraint or said little at all. And that's because powerful forces within the conservative movement no longer see China as a moral enemy; they see it as an economic opportunity. China, unlike the Soviet Union, has opened itself to American corporate investment, and the lure of the Chinese market has eroded the right's appetite for moral combat.

In the story of Secretary of Labor Elaine Chao; her husband, Republican Senator Mitch McConnell; and the Heritage Foundation, the most powerful think tank in Washington, you can see the outlines of how it occurred. Their shift toward accommodation with Beijing has happened quietly, with care to make sure connections between money and ideology are virtually impossible to trace. In the most startling act of evasion, Elaine Chao appears to have failed to disclose her service on the board of a company with close ties to the Chinese government, something she was legally required to do upon taking office as labor secretary. Like the crash landing of the EP-3, the story of Chao, McConnell, and Heritage serves as a parable—not of the arrogance of totalitarian China but of the moral corruption of the movement that should be its most formidable foe.

I. CHAO AND HERITAGE

In 1973 two young right-wing congressional staffers, Ed Feulner and Paul Weyrich, founded the Heritage Foundation in an effort to revive a conservative movement that had flagged during Richard Nixon's presidency. While the foundation's initial focus was domestic, it supported the conservative movement's historic foreign policy agenda, which included adamant opposition to Communist China and support for Taiwan. Sharply critical of Ronald Reagan's "tilt" toward the People's Republic and away from Taiwan, a Heritage position paper in 1982 asked: "[S]hould a free nation under any but the most compelling circumstances establish a policy of seeking close relations with a regime whose policies are anathema to free men?... [E]ven in the cynical world of realpolitik, does not the abandonment of an old friend and ally ... constitute the crossing of a fundamental moral line which would be morally reprehensible for the greatest free nation in the world?"

That same year, Heritage hired Richard V. Allen, who had recently resigned as Reagan's national security adviser. Allen established Heritage's Asian Studies Center, whose advisory council he chaired and for which he and Feulner, Heritage's president, raised money through their contacts in South Korea, Taiwan, and Japan. According to official Heritage historian Lee Edwards, Allen and Feulner raised more than $13 million in Asia over the next decade and a half, placing the funds in a separate endowment for the center. Money and ideology coincided nicely: The Taiwanese and South Korean businessmen whom Allen and Feulner hit up for donations supported Heritage in large part because they shared its fervent anti-communism. They rightly saw Heritage as a bulwark against the Henry Kissingers and Alexander Haigs of the Republican Party who—well before Bill Clinton ever uttered the term—saw China as a "strategic partner."

But in the early '90s money and ideology began to diverge. To overcome its isolation after the Tiananmen Square massacre of June 1989, China opened its doors, first to Taiwanese and other Asian businesses and shortly thereafter to American ones as well. Soon many Heritage corporate donors had a stake in the Chinese market—and no longer wanted the foundation to antagonize the Chinese government. One of Heritage's main funders, for instance, had been the Starr Foundation, established by the American International Group, an insurance giant, and run by AIG's chairman, Maurice "Hank" Greenberg. Since the 1980s, the foundation—founded by C.V. Starr, whose ties to Chiang Kai-shek's Kuomintang (KMT) go back to the 1930s—had contributed $100,000 or more per year to Heritage. But in the 1990s Greenberg, aided by Kissinger, saw a chance for his firm to become the first major Western insurance company to enter the Chinese market. As business opportunities opened up, he grew increasingly uncomfortable with Heritage's hard-line stance toward Beijing. Heritage also found itself under pressure within Taiwan and Hong Kong, where once-hawkish officials and businessmen began to support most-favored-nation (MFN) status for China as a means of protecting their own investments there.

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Heritage tried to square the circle by coming out in favor of MFN while remaining highly critical of China's foreign and military policy. It began to embrace the vision of a capitalist "greater China"—a free-market People's Republic with benign hegemony over its neighbors—promoted by Hong Kong's and Taiwan's business leaders as well as by anxious American investors.

BUT BY THE mid-'90s the strain of contradiction was beginning to show. Perhaps the key moment came in the spring of 1996. As a vote on renewing MFN neared, news sources revealed that China had sold nuclear technology to Pakistan. And, that March, Beijing's leaders, angered by Taiwanese President Lee Teng-hui's visit to the United States, massed troops along the Taiwan Strait and fired missiles within 30 miles of Taiwan's shoreline. In response, Pat Buchanan, running in the Republican primary, called for Republicans to oppose MFN. Even Heritage's unofficial presidential choice, Bob Dole, hinted he might oppose it, as did a growing number of congressional conservatives. Given its ideological legacy, Heritage might have been expected to join the chorus denouncing Beijing and to have advocated, at a minimum, attaching conditions to the renewal of MFN. But Heritage, under financial pressure that year from trying to compete with Republican presidential candidates for contributions, did exactly the opposite.

On March 26, three days after Taiwanese voters defied Chinese missiles and reelected Lee, Feulner blasted MFN's foes in a *Washington Times* editorial. "The only beneficiaries [of ending MFN] would be trade officials at the Ministry of International Trade and Industry (MITI) in Tokyo and at the European Union headquarters in Brussels," he wrote. Feulner invited former National Security Adviser Brent Scowcroft, who had formed a company to advise American businesses in China, to hold briefings for wavering conservatives at the foundation. And he recruited former Commerce Secretary Barbara Franklin as a visiting fellow. Franklin—who, like Scowcroft, advises American companies operating in China and serves on the advisory board of the pro-Beijing U.S.-China Policy Foundation—could not have been more in tune with Heritage's corporate contributors. In a pro-MFN speech at the foundation in June 1996, Franklin declared that "China today is not a police state like Stalin's Russia; nor is there the indiscriminate violence and intolerance of the Cultural Revolution.... Besides the greater economic freedoms in China today, there is greater mobility, the beginnings of better job opportunities, greater tolerance for and interest in education, and greater freedom of discussion." She blamed the Clinton administration for provoking the "flap" over Taiwan.

And Heritage hired another distinguished fellow that summer as well: Elaine Chao, a former official in the Transportation Department, Peace Corps director, and president of the United Way. According to Heritage Vice President Herb Berkowitz, Chao's initial charge was to contribute to the foundation's positions on philanthropy and civil society. But in soliciting funds for candidates and running the United Way, Chao had acquired a reputation as a terrific fund-raiser. She had important and unusual fund-raising connections, not only in the United States but in Asia as well, which Heritage would soon seek to exploit.

Those fund-raising connections began with Chao's family and her family's business. The business was shipping. Chao's parents were born in Shanghai, where her father, James Chao, attended Chiao Tung University with Jiang Zemin before going to work for C.Y. Tung's Maritime Trust, a Shanghai shipping company that moved to Taiwan after the Communists seized power in 1949. James Chao's mother was a member of the Hsu (pronounced "shoe") family that would later operate a shipping empire from Hong Kong. James Chao and his future wife departed the mainland in 1949, along with the Hsu family, and Elaine Chao was born in Taiwan in 1953.

In 1958 James Chao emigrated to the United States, and three years later his family followed. Already a shipping executive, in 1964 Chao founded his own company, the Foremost Maritime Corporation, which would become the North American agent for the Hsu shipping fleet and would also operate and charter bulk carriers of its own. Initially, Foremost did much of its shipping business to and from Taiwan. But in 1988, when Taiwan native Lee Teng-hui was elected chairman of the KMT, mainland transplants like Chao lost business to indigenous ethnic Taiwanese. They "lost out in Taiwan," one veteran Taiwanese reporter explains, "because there was this anti-Mandarin, anti-Chinese-mainland feeling." Chao, the reporter said, moved the center of his Asian operations to Hong Kong, where he would eventually start a subsidiary. At the same time, he renewed his ties to the mainland and to Jiang. He contracted to build two ships with China's state-owned shipyard in Shanghai, where Jiang was then party secretary. And he began visiting Jiang regularly—even meeting with him and the head of China Shipbuilding in August 1989, three months after the Tiananmen Square massacre, when most American businessmen were steering clear of China's leadership.

Not surprisingly, given her background and her family's business interests, Elaine Chao was seen within Heritage as a proponent of "greater China." While sensitive to Taiwan's and Hong Kong's fate, she accepted the prospect of "one China" under the hegemony of the People's Republic. In 1997 she joined the accommodationist National Committee on United States-China Relations, to which Franklin also belonged. Stephen Yates, who worked under Chao at the Asian Studies Center, said Chao "believed in having an engagement policy with China.... She always was making sure that we were taking seriously a policy of engagement, that we were not closing off options on influencing China."

IN 1996, THE same year Heritage named Chao a fellow, it established an office in Hong Kong. The office didn't organize conferences or put out papers; many journalists in Hong Kong didn't even know it existed. Says one veteran Hong Kong editor, "They are invisible here. I don't know what they are doing." One Heritage staffer who, like others, requested anonymity out of fear of being fired, described it as a "façade" for fund-raising. Berkowitz says that Ken Sheffer, who staffed the office, didn't raise

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funds himself, but he acknowledges that Sheffer served as an "advance man" for Feulner during the latter's trips to the region, which involved fund-raising.

Chao's appointment and the opening of the Hong Kong office would make Heritage's Asian Studies Center a controversial and tumultuous place. In the summer of 1997 a former Hong Kong banker told me about Chao. He said she came from a wealthy shipping family close to the pro-Beijing Hong Kong business elite and that her family contributed money to McConnell. His source, he told me, was Richard Allen. I called Allen, and he wouldn't talk about Chao, but, near the end of that year, Allen left Heritage. A mutual acquaintance of Feulner and Allen says the two men had a "huge and secret fight." Berkowitz, after consulting with Feulner, denies that. "We just think he decided enough was enough," Berkowitz says of Allen's departure. But another person who knows Allen says, "I gather it wasn't pretty. He alluded to it once or twice with me. My impression is that Dick [Allen] is hard-line on China and became quite concerned what they were up to." Allen continues to refuse to be interviewed on the record, but a source familiar with his situation says the conflict between him and Feulner concerned not specific political positions but whether the foundation's Asian operations were crossing the line between business and policy.

Even before Allen's departure, Chao had transferred her attention from civil society to Asia. In July 1997 she led a delegation of Heritage's major donors and trustees to the Hong Kong reunification ceremony. Then, on April 1, 1998, Chao was officially appointed to replace Allen. Chao brought no particular expertise in foreign policy to the job, and over the next 20 months she would not publish any papers or memoranda on Asia. Quips one Heritage fellow, "She wasn't hands-on, except for fund-raising."

Chao's appointment coincided with the elevation of an Allen protégé, Richard Fisher, to be director of the Asian Studies Center. Fisher, who had first come to Heritage in 1983, was an expert on the Chinese military and over the years had repeatedly warned that China was trying to intimidate Taiwan militarily and replace the United States as the reigning power in Asia. Several months after Fisher was promoted, however, he was summarily dismissed. According to people who worked with Fisher on China policy, his dismissal came approximately two weeks after he first briefed Chao. Fisher was given a severance package on the condition that he not disclose the circumstances of his dismissal.

A dozen foundation critics familiar with Heritage and Fisher, as well as both a current and a former Heritage official, told me that while personality factors may have figured in Fisher's dismissal, he would not have been fired had he not been so aggressive in propounding his hawkish views on the Chinese military. A Heritage official and fellow did insist Fisher was fired solely because of a personality conflict and that Chao had nothing to do with it. But one of them subsequently contradicted that line in a conversation with another of my sources, telling the source (who has no vested interest in the matter) that Fisher was dismissed because of his outspoken views on China and that Chao had a hand in his firing.

And, indeed, Heritage's policy offerings on China have grown decidedly softer over the past few years. Some of its staff still share the traditional conservative hard line toward the People's Republic, but they don't espouse it as aggressively as Fisher did. And, while the foundation still invites China hawks to appear at its forums and still publishes reports critical of the Chinese military, these relatively low-profile statements are undercut or overshadowed by its more publicized activities. The foundation has continued to stage major lectures by Beijing sympathizers like Franklin. At one such event last year, Franklin said, "It must be noted that the United States has a plethora of issues and concerns regarding China. We must deal with these issues wisely but we must not allow them to hold back progress on trade and commerce." In Hong Kong, Heritage has cast its lot with chief executive C. H. Tung—handpicked by a committee appointed by Beijing—rather than with democratic opposition leader Martin Lee. When Feulner has visited Hong Kong, a local journalist reports, he has sought out Tung but not Lee. When Tung visited Washington in 1997 and 1999, Heritage feted him. At the September 1997 invitation-only banquet, it excluded the Hong Kong press.

During the debate last spring over granting China permanent normal trading relations (the new name for MFN), Heritage's China tensions bubbled over again. In March, Yates published a paper suggesting that conservatives hold up passage of PNTR until Congress considered other measures—including "a more comprehensive approach to promoting freedom in China" and passage of Senator Jesse Helms's Taiwan Security Enhancement Act, which committed the United States to sending arms for Taiwan's self-defense. As first revealed in *The Washington Post*, Greenberg, the AIG chairman and big Heritage donor, protested vociferously to Feulner; shortly thereafter Yates joined with Larry Wortzel, who replaced Fisher, to produce a new memorandum titled "How Trade With China Benefits Americans." Berkowitz claims there is no difference between the two memoranda. Yates says Greenberg's protest was based on a "misunderstanding." But conspicuously missing from the second document were Yates's hard-line conditions, including support for Helms's bill. The first paper was an unfiltered expression of the older Heritage view of China and Taiwan; the second represented the new, softer line.

That fall, Heritage did a similar turnaround on a proposal by Senator Fred Thompson to penalize China if it sold strategic weapons abroad. Heritage had earlier encouraged Thompson, who had presented the proposal in a speech at the foundation on March 17. But in September, when Thompson's proposal came up as an amendment to the PNTR bill, the foundation, according to a staff member, let Senate conservatives know it no longer cared about the proposal. "There was some expectation that we would back him. But we backed off," said a Heritage staffer familiar with the issue.

About this time, a group of conservative China critics already concerned about Fisher's firing and Greenberg's intervention attended a meeting at which a visiting Chinese national spoke. The visitor, who will have to remain name-

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less, told of the personal relationship between Chao's father and Jiang Zemin and said that Elaine Chao was being paid $200,000 per year to raise money for the Heritage Foundation. One former Reagan administration official who is a regular at Heritage forums on Asia and was present at the meeting said, "I was shocked when I heard that. I was told we were very proud of our new advisory commission chair. All of us were led to believe she had no direct connection to China."

By this spring, after President Bush nominated Chao to be his secretary of labor, stories about Chao and her father had begun surfacing on right-wing websites. Feulner blew up, blaming Fisher. Heritage sent him a letter reminding him of his legal obligations under the disclosure agreement. (To my knowledge, Fisher has kept his agreement. I called him for an interview at his home and his office, and he never returned my calls.) When a Washington foreign policy expert raised questions about Chao's nomination at a meeting of lobbyist Grover Norquist's Wednesday Group, an angry Feulner telephoned him immediately afterward.

Feulner and other Heritage officials continue to insist the foundation's basic position on China and Taiwan has not changed. But conservatives who follow China are skeptical. Said one target of Feulner's wrath, "When Ed came after me, he said, 'We've done umpteen papers on China and had so and so many briefings, we're still on the case, and nothing has changed.' It may or may not be true, but the bottom line is that there is little question they are not speaking to the threat that China represents in the way they used to and in the way that would discomfit the Chinese." And Republican staffers on the foreign policy committees on Capitol Hill—a key constituency for Heritage's position papers—worry that Heritage has gone soft on China. Says one of them, "Once it became apparent to me that their donors had pressure over what their analysts were saying, I decided it was not worth my while to read their stuff." In Asia, Heritage is also seen as waffling on its earlier opposition to Communist China and support for Taiwan. Says Mark Simon, director of corporate accounts for the *Apple Daily*, Hong Kong's second-largest Chinese-language newspaper, "When Heritage comes through, we get the feeling that the conversation about China is not the conversation that the American conservatives used to have. This group has changed. I support the Heritage Foundation. But there is a strong feeling that China money is getting inside this organization."

II. Chao and McConnell

After winning election to the Senate in 1984, Kentucky's Mitch McConnell quickly gravitated to the Republican Party's right wing, particularly on foreign policy. On the Foreign Relations Committee, where he gained a seat, he generally sided with archconservative Jesse Helms, who was then jousting for power with the more moderate Richard Lugar. In 1985 McConnell was one of eight Republicans to sign an incendiary letter from Helms demanding that the Reagan administration stop appointing moderates to key foreign policy positions.

Although he sat on the East Asia subcommittee, McConnell displayed no particular interest in China, never mentioning China on the Senate floor until June 1989. Former University of Louisville political scientist Landis Jones, who knew McConnell and headed the Louisville Committee on Foreign Relations during the 1980s, doesn't recall the senator saying anything about China. But when McConnell did finally take a position on China, it resembled, not surprisingly, that of Helms. He told students at the University of Louisville in June 1989 that "we'll never forget the sight of those young people without arms up against tanks and machine guns." That December, after the press revealed that George Bush had secretly sent Brent Scowcroft and Lawrence Eagleburger to China, McConnell was the only Republican senator to criticize the mission.

But, over the following decade, McConnell's views on China would veer sharply away from those of Helms and other Senate conservatives. And campaign contributions seem to have played a decisive role. As the head of one K Street business group puts it, "When [McConnell] does take some interest in foreign policy issues, that is not out of some ideological devotion; I would look for some other reason."

McConnell's relentless search for campaign contributions began right after his election in 1984, when, despite Reagan's easy victory in Kentucky, he won by a mere 5,269 votes. As a first-term senator, McConnell lacked the fund-raising clout that comes from chairing a committee that oversees major business legislation. His main sources of bundled funds were Kentucky's tobacco companies, whose interests he defended on the Agriculture Committee, and the pro-Israel lobby, which he championed on the Foreign Relations Committee. But in June 1989 Elaine Chao offered him a new, and unlikely, financial source.

Chao had first met McConnell in 1987, when she served on the Federal Maritime Commission. But she later told *The Washington Post* that they did not become a couple until after she became Peace Corps director in 1991 and needed a social walker. McConnell was one of several senators Chao began to raise money for even while she was serving in the Bush administration. In early June 1989, as Chinese students were being routed from Tiananmen Square, McConnell suddenly received $10,000 in contributions from Elaine Chao's family and others associated with Foremost Maritime. Then, about two months later, Chao accompanied McConnell to a fund-raising event in Los Angeles with the Asian American members of the Pacific Leadership Conference, an organization that included Maria Hsia and John Huang, both of whom would later be convicted of laundering campaign money for Democratic candidates. Chao claims not to remember the meeting, but Huang has said that one of the reasons he gave McConnell money was Chao. "She was a very distinguished Chinese-American leader then," Huang told a House hearing in 1999. These donors gave McConnell another $10,750. Together, he picked up $21,750—not a princely sum, but Kentucky is a small state, and the donations came at a critical time in McConnell's political fortunes. By comparison, in 1989 the tobacco PACs that were McConnell's most enthusiastic supporters gave him $32,500.

McConnell would later attribute the contributions from Elaine Chao and her family to love and family loyalty. But it seems strange that James Chao, who ran a relatively small

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company, would give this kind of money simply out of friendship to a man who was then merely an acquaintance of his daughter's. Moreover, the Asian Americans from the Pacific Leadership Conference had a very clear agenda at the time. In the wake of Tiananmen Square, they had become vitally concerned with the fate of Hong Kong and its professional and business classes. Their top priorities were to amend U.S. immigration law to allow more Hong Kong residents to emigrate and to insert a special provision that would permit wealthy entrepreneurs to buy visas by investing over $1 million in the United States. They also wanted the United States to take steps to ensure that Deng Xiaoping and the Chinese kept their promise to allow "one country, two systems" when China assumed control of Hong Kong in 1997. Elaine Chao and her family would presumably have echoed these concerns—not only were they linked to the Hsus' shipping interests in Hong Kong, but James Chao had begun shifting his company's focus from Taiwan to Hong Kong as well.

McConnell appears to have responded well to his new fund-raisers' concerns. Even though he had not previously been concerned with immigration and was not on the Judiciary Committee, which was responsible for immigration policy, McConnell inserted himself into the congressional debate, helping win a special provision that raised the number of annual visas for Hong Kong residents from 5,000 to more than 20,000. Hsia, co-chair of the Pacific Leadership Conference and a $1,000 contributor to McConnell in 1989, told *National Journal* in August 1990 that McConnell had "played a key role in setting up the group's meetings with Administration officials." The next year McConnell introduced the U.S.-Hong Kong Policy Act, which called on China to preserve Hong Kong's market economy once it returned to Beijing's control in 1997 and preserved a separate immigration quota for Hong Kong after 1997.

The overseas Chinese who began contributing to McConnell wanted to protect Hong Kong from the architects of the Tiananmen Square massacre, but they were also drawn by the lure of the Chinese market and sought to come to terms with China's inevitable acquisition of Hong Kong. McConnell adopted these views himself. Unlike Senate conservatives such as Helms, McConnell came to support granting MFN to China without conditions. "By engaging economically with the PRC, the U.S. can support and promote continued economic development in China," McConnell stated in a June 1992 speech. McConnell insisted that he was "not trying to pick a fight with China" with his U.S.-Hong Kong Policy Act—and, as if to prove the point, he inserted a provision in the bill allowing the Chinese to import strategic technology through Hong Kong. China hawks would later complain that a McConnell aide had pulled the wool over their eyes. "A guy in McConnell's office drafted it," one Republican staffer said. "The effect was to open the spigot and allow us to send things to Hong Kong that could not have been exported to China."

MATTHEW MARTIN

As the 1990s progressed and China's economy grew more than 10 percent per year, American and overseas Chinese businessmen became even more enthusiastic about the Chinese market. So did McConnell—and he did so from a position of increasing importance in the Senate. After the November 1994 election, when the GOP retook the Senate, McConnell, who had left Helms's Foreign Relations Committee in 1992, became chairman of the Foreign Operations and Export Financing Subcommittee of the Senate Appropriations Committee. While Helms's committee grew embroiled in sectarian battles with the Clinton administration over appointments and U.N. funding, McConnell's subcommittee became a center for foreign policy-making in the Senate; companies that wanted to do business with China flocked to McConnell. In the two years leading up to his 1996 reelection bid, McConnell received PAC contributions from 19 of the top 20 contributors of the U.S.-China Business Council. (The one exception was the pro-Democratic Walt Disney Company.) McConnell also received timely contributions from James Chao. In December 1994, the same month McConnell assumed control of the Foreign Operations Subcommittee, Chao—now McConnell's father-in-law—raised $34,000 for the senator. More would come over the next year—including $25,000 in checks in 1996 from the Chao family to the Kentucky Republican Party.

Since the late '80s, James Chao's business had been growing increasingly dependent on Beijing—first for the construction of his ships and then for

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income from the chartering of these ships. In the '90s he would charter his tankers to Chinese state companies like COSCO, Sinochart, and Sinotrans. It also appears Chao was being actively courted by the Chinese government. When he met with Jiang in May 1993, also present was Vice Minister of Foreign Affairs Liu Huaqiu. As James Mann recounts in *About Face*, Liu was the point man on U.S.-China relations. The PRC also seems to have wooed McConnell and Elaine Chao during this period. The Chinese representative to the United Nations attended their wedding in February 1993; in December they, along with James Chao, met with Jiang in Beijing. (McConnell became only the second Republican senator to meet with Jiang since Tiananmen Square and the first in over two years.) In October 1997, when Jiang visited Washington, he held another private meeting with McConnell and Chao. And in September of that year, when C. H. Tung—Beijing's representative in Hong Kong—visited the United States, McConnell and Chao joined him at his first private dinner in Washington.

THE COMBINATION OF finance and flattery seemed to turn McConnell, once a China hawk, into a booster. At the ceremonies marking Beijing's accession of Hong Kong, McConnell reassured conservative columnist Cal Thomas that, in Thomas's words, "in future years, it is probable that the People's Republic of China will look more and more like Hong Kong and not the reverse." In the 1997 Senate debate over MFN, McConnell told China's critics that "Hong Kong is going to lead the way to a new China, and a new China is already developing, which is not to say that any of us are entirely happy about everything going on in the People's Republic of China, but a lot of good things are happening, particularly on the economic side."

Perhaps even more surprising than McConnell's support for MFN was his sympathy for China on the prickly issue of Taiwan. The Kentucky senator was conspicuously missing from the 21 co-sponsors of Helms's Taiwan Security Enhancement Act. In March 2000 McConnell told talk-show host Chris Matthews that the United States should remain "ambiguous" about whether it would come to Taiwan's defense: "I think we're purposefully ambiguous. I think that's the place we ought to be." He also assured Matthews that "the PRC has moderated its rhetoric."

McConnell, who had earlier told students he would "never forget the sight of those young people without arms up against tanks and machine guns," also turned a blind eye to China's brutal repression of the Falun Gong religious sect. In November 1999 McConnell and Chao hosted Chinese Ambassador Li Zhaoxing at the University of Louisville, where Li attacked the U.S. House of Representatives for condemning Beijing's treatment of the Falun Gong. "Any responsible government will not foster evil propensities of cults by being over-lenient," Li declared before McConnell and Chao. According to a reporter present, in his own remarks before and afterward, McConnell made no effort to distance himself from the ambassador's tirade. Instead, according to the reporter, he boasted of the "good working relationship" he enjoyed with Li.

III. CHINAGATE?

The story of Chao, McConnell, and Heritage has never made the mainstream press, but it has become a staple of conspiracy-minded right-wing websites. Some of these sites see the fund-raising influence of overseas Chinese from Taiwan and Hong Kong as a smokescreen for the real, much more sinister scandal: the buying of Mitch McConnell and the Heritage Foundation by the People's Republic of China.

There is no evidence they're right, but three sets of questions about Chinese influence remain, which I could not adequately answer because James Chao, Elaine Chao, and Mitch McConnell refused repeated written requests for interviews. (Heritage's Herb Berkowitz was, by contrast, a model of affability.) The first set concerns James Chao and his shipping company. Chao is not the first or only American businessman to be wooed by the Chinese government. What would make his case different—and at least raise eyebrows about his contributions—would be if Chinese government interests actually owned a stake in his company or his ships.

It is astoundingly difficult to find out what a shipping company does—my account relies on a collection of documents and on others' personal memory, which can be fallible. It is even harder to find out who owns a shipping company's main assets. Each of Foremost's ships is incorporated as a separate entity in Liberia, which will not release shareholder or ownership records. It is conceivable that Beijing did acquire a stake in them. During the years when Chao's ships were being built in Shanghai, other Hong Kong shipping companies were coming to terms with the PRC by ceding some degree of ownership to the Chinese. The Chinese gained a foothold in C.Y. Tung's company and bought control of the Hsu family's Continental Mariner. Could Chao and Foremost have provided an opening to them? It's possible, and, in the absence of public disclosure, speculation about Chinese influence will continue to fill right-wing websites.

The second set of questions concerns a scholarship fund and mini-think-tank McConnell set up at the University of Louisville in 1991 called the McConnell Center for Political Leadership. The center, which opened in 1993, grants ten scholarships per year (including an expenses-paid, six-week summer trip for students to China) and hosts conferences and speeches by political dignitaries. To a politician, of course, such an institution is a public relations godsend—a source of free, highly favorable publicity. Rationally, the laws governing political contributions should require it to disclose its funding sources. But, although McConnell raised almost all the $2.4 million to found the center and at least $1 million more for it over the last decade, he has insisted that the university not reveal the identities of its funders. And the university has complied, channeling the funds through a private foundation that, under Kentucky law, is not required to reveal its contributions.

This is particularly hypocritical given that McConnell has long championed the full disclosure of contributions as an alternative to campaign reforms, such as the McCain-Feingold bill, that limit fund-raising. A university spokesperson claims that the corporations McConnell has asked for money from want to keep their identities hidden. But this is unlikely; American corporations generally seek as much

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publicity as possible for educational grants. The more plausible explanation is that it is McConnell who doesn't want the donors' identities revealed. And that raises suspicions about who those donors might be.

The center was established at exactly the time that McConnell, as a result, perhaps, of receiving contributions from the Chao family and the Pacific Leadership Conference, discovered an interest in Hong Kong and China. From the beginning the center has focused inordinately on China—particularly given that it is based in Kentucky, whose companies have negligible business interests there. Although the center's first director, Paul Weber, suggested to McConnell that juniors in the program visit different countries during their summer abroad, McConnell insisted they visit only China. ("He made the decision, 'Let's just send them to China,'" Weber recalls.) And an unusual number of the center's speakers and conferences have concerned U.S.-China relations. For instance, the Chinese ambassador's tirade against the Falun Gong took place under the center's auspices. And most recently it hosted David Lampton, a harsh critic of Helms's Taiwan act.

Did Elaine Chao convince McConnell to focus the center on China, as Weber jokingly speculates? Was McConnell appealing to contributors interested in fostering a soft American line toward Beijing? Without knowing the identity of the center's contributors, it is impossible to dismiss the possibility that McConnell has concealed contributions to the center that sought to influence or reward his position on Hong Kong and China. That's just speculation. But it's speculation that only Mitch McConnell can put to rest. And he hasn't done so.

The third set of questions is the most troubling of all. While at the Heritage Foundation, Elaine Chao served on the board of directors of numerous corporations. Several, including the Millipore Corporation and Protective Life Corporation, have invested in the Chinese market. But none is as committed to China as a California start-up, the Multa Communications Corporation, or Multacom for short. Multacom, a broadband network service provider, offers direct Internet links between China and the United States through MultaNet China, a joint venture with government-owned China Unicom. The PRC-owned company owns 51 percent. Multacom's cable lines are being laid through another joint venture with another Chinese government company, the China Railway Telecommunications Center.

On January 15, a few days after Bush nominated Chao to be secretary of labor, Multacom issued a press release praising Chao for her service to the company. It said she "had served as a member of the board of directors for Multacom since July 1, 2000." Bob Hong, chairman of Multacom's board, said, "The staff at Multacom, both in the U.S.A. and Asia are all very excited and proud of Ms. Chao's nomination." And Hong personally confirmed to me that she was a director. There is only one problem: Multacom does not appear on the financial disclosure report that she submitted to the Office of Government Ethics on January 29, even though the form requires under law that she disclose every position she held with "any corporation, firm, partnership or other business enterprise," whether compensated or not. Did Chao list Multacom under another guise? Or did she exclude it? And if she did, was it because its fortunes were so closely linked to the Chinese government? I called Chao's office to inquire, and, at her aide's request, sent a written question. I never received a response.

IV. The Integrity of the Conservative Movement

Political movements, as opposed to mere interest groups, are supposed to pursue more than just power and privilege for themselves; they are supposed to seek some general improvement of the human condition. The conservative movement of the 1950s, like the liberal movement of the '30s or the New Left of the '60s, did this. But movements are always in danger of being hijacked by parochial interests. In the '80s, for instance, liberalism's historic commitment to social justice degenerated into an excuse for different constituencies to defend their particular government programs.

And today conservatism is in danger of becoming simply a means through which business, which has always been the movement's principal sponsor, protects its financial interests. In domestic policy, conservatives have been hurt by the widespread perception that their policies on labor, the environment, and consumer rights are for sale to various factions of corporate America. But in foreign policy the danger is far greater. During the cold war, anti-communism was the conservative movement's ethical core—and, whether they agreed with it or not, honest observers had to admit that it stemmed not from self-interest but from deep conviction. A fevered (and, in retrospect, completely justified) opposition to Communist China was a crucial part of that larger crusade. It was what distinguished conservatives not only from liberals (who saw Mao Zedong's revolution as misguided but well-intentioned) but also from moderates and realists who wanted to curry China's favor in order to defeat the Soviet Union.

But over the last few years, as Beijing has opened itself to trade and investment, the corporate interests that populate the conservative movement have moved to take over its policy toward China as well. And there's reason to believe they're succeeding. Heritage isn't the only key conservative institution whose links to the Chinese market have caused it to mute its outrage toward Beijing. Pat Robertson, an investor in a Chinese Internet company, has moved the Christian Coalition, the leading voice of evangelicals in the Republican Party, to take a conciliatory attitude toward the PRC. And numerous Republican foreign policy officials have gone to work harvesting for American business in China, while simultaneously counseling against a policy of American confrontation or even containment. The moral fire that animated the conservative movement for close to 50 years shows signs of extinguishing itself.

A week after the Chinese detained the 24 Americans on Hainan Island, I checked Heritage's website and McConnell's website to find how seriously they viewed China's dramatic affront to American principles and pride. On Heritage's site, I was directed to some desultory news briefings, and on McConnell's to a statement about Serbia. Once upon a time, things would have been different. ■

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Stanley Kauffmann on Films

Mexico and Points North

EVERY CITY IN the world, it seems, has in it the stuff of at least one film about its poverty and violence. Possibly Mexico City has already produced examples, but we get few Mexican films these days, and the first of their self-scathers to be widely noted here—it arrives decked with festival prizes—is **Amores Perros** (Lions Gate). Anyway, it seems to be one of that seamy kind for twenty minutes or so. Then its account of life among the Mexican lowly becomes only one of its three story strands. All of the stories are in some way linked, but the latter two in Guillermo Arriago's screenplay deal with quite different social strata.

This is unfortunate, because that first strand is the most interesting of the three—to us and, I would guess, to the director. Alejandro González Iñárritu, who has made hundreds of Mexican television commercials, here seems to be getting his revenge on those commercials with a deliberately strident, punchy style, full of fast editing and propulsive close-ups. This style fits the opening; but elsewhere it seems to be eager for the occasional return of the (interwoven) first strand. This gives us the uneasy feeling that the director took on the other two strands—which are not badly done, just disharmonious—in order to do the first.

Strand one: a working-class youth lives with his scummy brother and his appealing sister-in-law. The youth falls in love with the sister-in-law and wants her to run off with him. The only way he can make enough money to escape is by entering his dog in the vicious dogfights that are a working-class specialty. The betting on the fights is heavy. (The film's title, translated as *Love's a Bitch*, applies most literally to this story, though it pertains in some degree to the others.)

Strand two: a middle-class magazine editor leaves his family to live with a beautiful model. In their swank new apartment, a small square patch of the flooring is left open. No credible reason is given for this gap, but it does provide a hole for the couple's little dog to fall into. The dog's disappearance has unforeseen effects on their lives. Finally, in strand three, a bearded, impoverished recluse, who has several dogs and who becomes involved in the other stories through a dog, undertakes a sentimental journey toward recovery of his earlier life.

The film has a prefatory note telling us that the dogfights we see in the picture—or, rather, don't see: the brutality is only suggested—did not hurt any animal. That is welcome news. Unfortunately, the notice applies figuratively to the whole film. All three strands suggest more drama than they actually create. *Amores Perros*, it is said, provides an honest portrait of Mexico City today. Physically, perhaps. But I hope this isn't true of the city's artistic rigor.

How fixed the figure of the trickster is in the American mythos. Melville's *The Confidence Man*, published in 1857, was surely not the first use of the con. Later Mark Twain had some thoughts about "The Man That Corrupted Hadleyburg." O. Henry wrote stories about a salesman who, he said, took a dollar in another man's pocket as a personal offense. The list could go on.

Inevitably the theme slipped into American film—sometimes with pairs of tricksters (*The Sting*, for instance). One added wrinkle was to make the pair a parent and child. In *The Lady Eve* it was a father and a daughter. In *Paper Moon* it was a man and a child who might be his daughter. Now we get—for the first time, I think—mother and grown daughter. More than that, it's sexy mother and sexy daughter.

Heartbreakers (MGM) began in the hands of seasoned laff-makers. The writers were Robert Dunn and the duo Paul Guay and Stephen Mazur, all three of whom are experienced in comedy. (The Guay-Mazur team has worked for Jim Carrey.) The director, David Mirkin, began his career as a stand-up comic, then went on to produce and to write *The Simpsons*. In a strict sense it is misleading to call the work of these people "comedy." Like Bobby and Peter Farrelly, who made *There's Something About Mary*, their job is to create a mechanism that will allow no more than sixty seconds to elapse between yaks. This is not comedy in any sensible sense: there is no real regard for character. Character in such a script is only a term for a set of risible characteristics. It's not even farce, unless the pratfall is farcical.

The basic aim of *Heartbreakers* is to blend a sort of latter-day Lubitsch with the Three Stooges. What better gimmick for this blend than the con? A fortyish woman with a twentyish daughter selects a man with money. The daughter, without revealing her connection to her mother, gets a job in the man's office. Mom maneuvers the man into marrying her, skillfully avoids wedding-night *amour*, and the next day enters the man's office just as, by arrangement, the daughter has put him in a compromising situation. (Key line: the flustered husband says to his furious bride, "Honey, it's not what it looks like. She just got her hair caught in my zipper.") Bride files for divorce and gets a nice settlement; then mother and daughter go hunting for the next mark.

This hunt leads them from New Jersey, where the story opens, to Florida and further adventures. Of course true love intrudes—for the daughter—and stretches the film a bit past its natural lifespan, but this is the only bothersome flaw in this trimly tacked and pasted structure. Mirkin has directed with the right kind of nervous impatience: we can almost hear him behind the camera, enjoining his actors to keep moving. They do. Mom is played by Sigourney Weaver, looking very smooth and juggling her laughs in a bright, offhand way. Daughter is Jennifer Love Hewitt, who wears a succession of skimpy dresses with the energy to make them look skimpier. Forget subtlety: the role isn't much more than genitals on the march. As the New York victim, Ray Liotta obeys the director's orders. As the Florida victim, an aging tobacco tycoon, Gene Hackman paints with a brush just broad enough.

Note on size. When television began, considerable argument boiled up about showing theater films on the small screen. The debate subsided as sheer force of usage rolled over it (and as the utility to students prevailed). For myself, when I watch a film on television that I have previously seen in a theater, a conveniently summonable trance allows me to invest the small image with the remembered richness of the large one.

I had practically forgotten the large-versus-small debate until the evening of March 24, when I saw on HBO the Mike Nichols film of *Wit* with Emma Thompson. How cramped this superb film seemed on the small screen, how

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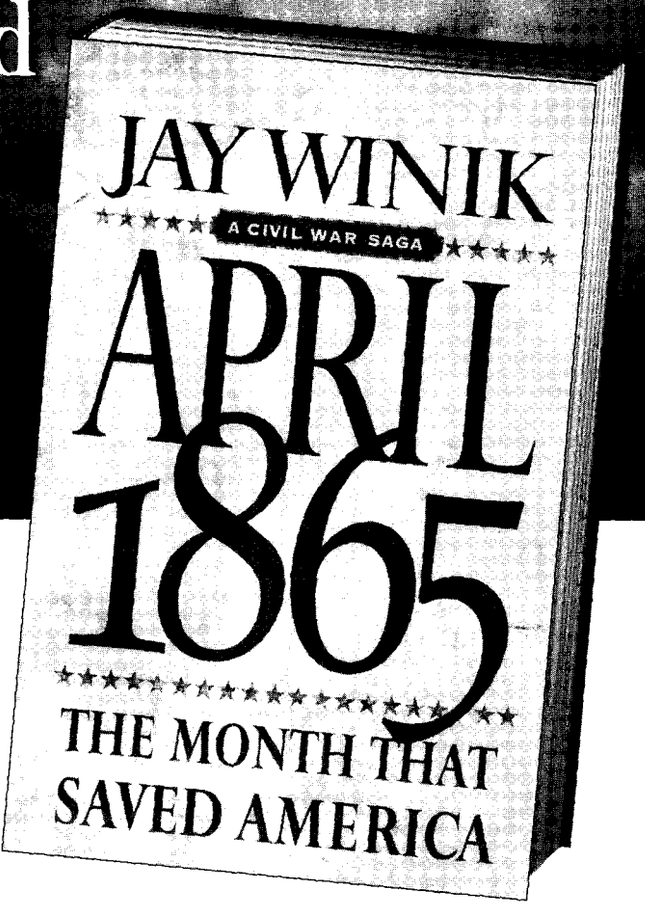
It was the month that could have unraveled our nation.

Instead, it saved it.



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Pulitzer Prize-winning author of *No Ordinary Time*

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compressed Thompson's beautiful performance, how hobbled the deftness of the editing, how limited the resonance of the Thompson-Nichols screenplay derived from Margaret Edson's play. I had seen that play in the theater (in its original shape and with a lesser cast), but I had no previous large-screen experience of the film to enhance the telecast. Fervently I hope that we will all have the chance sometime to see the Nichols-Thompson *Wit* on a full-size film-theater screen. Then the television version, which I trust will be available on tape, will look better. ■

Does Microsoft understand America?

The Gates of Power

By Robert J. Samuelson

I.

As allegory, few companies today rival Microsoft. But as allegory for what? Since the late 1980s, Microsoft and its co-founder Bill Gates have come to symbolize, to admirers and to detractors, the best and the worst of American business. For its admirers, it represents a zest for new technology and a beneficial marriage of self-enrichment and social improvement. For its detractors, it embodies ambition that has evolved into ruthlessness, and an almost pathological pursuit of economic and technological power. These conflicting versions of Microsoft crystallized in the antitrust suit brought by the Justice Department and twenty states in May 1998.

This may well be the most important antitrust suit since the government's breakup of Standard Oil in 1911. If U.S. District Judge Thomas Penfield Jackson is upheld on appeal, the division of Microsoft into two companies would re-shape competition in the computer industry, though just how is unclear. The ruling would also warn other companies that the acquisition of market power (hardly anyone denies that Microsoft has market power) imposes obligations of self-restraint. Otherwise they may be sued by the government, egged on by rival companies. But again, the consequences of this murky self-restraint remain unclear. In the broadest sense, the Microsoft case poses the question of whether government can constructively police competition in new technologies.

By and large, Americans favor competition. We regard it as a check on excessive economic, social, and political power. We believe that economic competition advances social well-being by promoting efficiency and encouraging innovation. The antitrust laws, first enacted with the Sherman Anti-Trust Act in 1890, reflect these values. These laws prohibit the worst abuses of monopoly and market power. Companies cannot collude to fix prices or to restrict supply. Mergers that would let the surviving company control an industry are generally rejected. Approved mergers that increase market power often come with conditions—the sale of certain properties or businesses—intended to dilute that power.

All these restrictions aim to enhance Adam Smith's classic ideal of competition. His "perfect competition" presumes thoroughly informed consumers, so that buyers will choose the lowest-priced and best-performing products. Similarly, perfect competition requires many producers, so that none has sufficient market power to limit supply and to raise prices. (Wheat farmers are the customary textbook example.) In theory, perfect competition maximizes consumer welfare. The lowest possible prices prevail. Efficient companies (which can sell at these prices and still earn a profit) drive out less efficient rivals. Although the economy creates few perfect markets, such markets are regarded as an ideal worth pursuing. The antitrust laws arose when the emergence of immense industrial enterprises (in steel, sugar, and oil, among others) offended popular sensibilities and seemed to insulate these organizations from market discipline.

But there is another model of competition, and it paints a much different picture of economic and social progress. It comes from Joseph Schumpeter, who coined the evocative phrase "creative destruction." Schumpeter's notion of competition pits technologies, production processes, and business methods against each other. The superior displaces the inferior. Steel replaces wood; cars replace buggies; limited liability corporations replace partnerships. It is this process, rather than intense competition among producers of similar products, that creates true progress. Innovations of this sort, Schumpeter thought, might spawn gigantic companies that dominate their industries.

Sheer size, however, does not guarantee perpetual success. By its nature, creative destruction is unpredictable. Yesterday's victor can become tomorrow's victim. A company's physical investments, learned habits, and institutional complacency may blind it to new technologies or business methods. There are many famous examples. Xerox offered its copier technology to many large companies, but none was interested. The idea behind Federal Express—an overnight package service at premium prices—was dismissed as silly. Wedded to what is familiar, once-invincible firms may wither. The antitrust laws originally aimed to preserve competition as idealized by Adam Smith. Can they now preserve and promote Schumpeter's competition? The Microsoft case suggests that they cannot.

II.

The trial demonstrated one thing beyond all doubt: that you would not want to compete against Microsoft. Every business aspires to what Microsoft attained in the 1990s, a virtual monopoly over a product for which demand was exploding. From 1990 to 2000, worldwide personal-computer shipments rose from twenty-two million annually to roughly ninety million. Microsoft's Windows operating system is installed on about ninety percent of these machines. (Operating-system software gives the computer instructions so that it can read other programs—application software—that perform specific tasks, such as word

World War 3.0: Microsoft and Its Enemies
by Ken Auletta
(Random House, 436 pp., $27.95)

Pride Before the Fall: The Trials of Bill Gates and the End of the Microsoft Era
by John Heilemann
(HarperCollins, 246 pp., $25)

Trust on Trial: How the Microsoft Case Is Reframing the Rules of Competition
by Richard B. McKenzie
(Perseus, 281 pp., $26)

Robert J. Samuelson writes a column for *Newsweek* and The Washington Post Writers Group. He is the author, most recently, of *Untruth: Why the Conventional Wisdom Is (Almost Always) Wrong* (Random House).

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processing.) Even better for Microsoft, the extra cost (or the "marginal" cost) of installing another copy of Windows on another personal computer is almost zero. The major costs are writing, testing, and marketing the program. Once these costs are covered, additional sales are almost pure profit.

With these marginal costs so low, and with demand so high, Microsoft's growth and profit margins have been spectacular. Founded in 1975, the company "went public" by selling its shares to general investors in 1986. In 1985, sales totaled $140 million and profits $24 million. In 2000, Microsoft had sales of almost $23 billion and profits of $9.4 billion. The profits came after $3.8 billion was devoted to research and development spending, which is money essentially targeted against actual and potential competitors. Since Microsoft pays no dividends, it has huge cash reserves that are invested in short-term government and corporate securities. In mid-2000, these reserves were about $24 billion.

Besides being fabulously well-financed, Microsoft is ferociously combative. It is one thing to challenge a large, wealthy firm that is complacent—say, General Motors twenty-five years ago. It is quite another to challenge a large, wealthy firm obsessed with obliterating any threat—say, Microsoft. The company's character reflects Bill Gates's personality. He is a genuine geek who was hooked on software as a teenager in Seattle in the early 1970s. But what always distinguished Gates from the other geeks was his taste for business. Geek culture long romanticized free software as an entitlement to promote computer use; but not Gates. In 1976, he wrote an "Open Letter to Hobbyists" in a computer newsletter that (according to John Heilemann) "asserted for the first time that software, like hardware, was a valuable commodity—it was intellectual property, and as such its creators deserved to be compensated."

Heilemann covered the Microsoft trial for *Wired* magazine, and Ken Auletta covered it for *The New Yorker*. Their books about the trial agree that Gates's compulsive competitiveness pervades Microsoft. Gates simply does not like to lose. Usually even-tempered, he is sometimes given to legendary outbursts. "Why are you trying to screw me?" he once yelled at cable-television magnate John Malone when they had a business dispute. Another time he vowed to "destroy" Sun Microsystems, a rival. Auletta describes Microsoft as a "tough, competitive, passionate place." At the trial, one executive characterized the company's culture as taking "extreme positions to push ourselves." As much as anything else, Microsoft's corporate culture was on trial, and it was convicted.

THE LANGUAGE OF the Sherman Anti-Trust Act is so broad that if interpreted literally, it would prohibit most agreements among companies. Section 1 declares "every contract, combination in the form of trust or otherwise" that is "in restraint of trade" to be illegal. Section 2 makes it a felony for anyone to "monopolize, or attempt to monopolize ... any part" of trade or commerce. Since many companies try (secretly or not) to monopolize something, thousands of executives could easily violate Section 2. Over the years, courts have narrowed the law's sweep. Contrary to the language, companies can attain a monopoly (at least in theory) as long as they do it legally. If everyone buys your mousetrap because it is cheaper and better than anyone else's mousetrap, good for you. What is illegal is to use the power of monopoly to maintain your dominant position by destroying competitors. This was Microsoft's sin, the government alleged.

As Auletta and Heilemann show, the trial seemed to prove Microsoft's guilt. Above all, its executives—led by Gates—acted as if they were guilty. They were evasive, defensive, and sometimes obnoxious. Their statements were often contradicted by the evidence of their own e-mail messages. Gates turned out to be the government's best witness. In a videotape of his deposition that was shown repeatedly at the trial, he denied knowledge of matters discussed in his e-mails. He jousted repeatedly with David Boies, the government's lead trial attorney. Here is one revealing exchange (quoted by Auletta), after Gates is asked whether he is "concerned" about a new competitor.

> GATES: I don't know what you mean, "concerned"?
> BOIES: What is it about the word *concerned* you don't understand?
> GATES: I'm not sure what you mean by it....
> BOIES: Is the term *concerned* a term you're familiar with in the English language?
> GATES: Yes.
> BOIES: Does it have a meaning you're familiar with?
> GATES: Yes.
> BOIES: Using the term *concerned* consistent with the normal meaning....

Gates and other Microsoft executives seemed to deny the obvious: that they pulled out all the stops to beat competitors. The centerpiece of the government's case was Microsoft's effort to overtake Netscape's Internet browser. A browser is a software program that serves as a translator. It takes the data on a website and converts it into text and images. Before browsers, the Internet—which is simply a high-speed data communications network—served mainly as an exchange of research files and papers for scientists, academics, and computer buffs. Without browsers, the Internet would not be a mass medium.

Microsoft was slow to recognize the Internet's significance. By 1995, Gates realized his error. In a memo to his staff in May titled "The Internet Tidal Wave," he said that "the Internet is the most important single development to come along since the IBM PC was introduced in 1981." Worse for Microsoft, the Internet might erode its domination of desktop computers. Application software (for creating documents and spreadsheets, doing taxes, handling investments, and so on) could be distributed by the Internet and made compatible with the browser. Then, as now, these programs were mainly compatible with Windows, meaning that anyone who wanted to use them had to have Windows. The threat was that desktop computers might operate easily without Windows. Bye-bye Microsoft? Well, maybe.

Gates and his company responded with a focused fury. They were determined not to let Netscape's browser, Navigator, dominate the Internet the way Windows dominated the desktop. Microsoft had its own browser, called Internet Explorer; but within the company there was much pessimism about its prospects. "I don't understand how IE [Internet Explorer] is going to win," James Allchin, a senior executive, e-mailed a colleague in December 1996. "Let's [suppose] IE is just as good as Navigator.... Who wins? The one with 80 percent market share." As it turned out, the pessimism was misplaced. Five years later, Microsoft's Explorer has roughly 80 percent of the market. What happened?

There are three ways to distribute a browser to customers: it can be preinstalled on the computer; it can be distributed by Internet service providers (ISPs)—companies like American Online—that provide connections to the Internet; or it can be installed by the computer user, who downloads it from the Internet or copies it from a CD-ROM. Microsoft tried, largely successfully, to deny the first two channels to Netscape; and by improving Explorer, it made the last channel virtually irrelevant.

For starters, Microsoft made Explorer free in early 1995 by including it as part of Windows. This soon stopped Netscape from charging for its browser (which had cost between $39 and $49) and cut off the company's main source of revenue. Microsoft insisted that manufacturers of personal computers (companies such as Compaq, Hewlett-Packard, and IBM,

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called "original equipment manufacturers," or OEMs) offer Windows with the pre-installed Explorer. When Compaq, then the world's largest PC maker, decided to feature Navigator over Explorer on some computers, Microsoft objected. It maintained that this would violate the terms of its license for Windows. It then threatened to withdraw the license, a move that could have put Compaq out of business. Compaq backed down.

There were other ways to promote Explorer. In 1996, America Online, the largest ISP, decided to offer Explorer to its customers. In return, AOL was included in a preferential "folder" for ISPs on Windows. In 1997, Microsoft settled a series of disputes with Apple and agreed to invest $150 million in the financially strapped company, and one condition of the settlement was that Apple feature Explorer, not Navigator, on its computers. Finally, some OEMs got price discounts on Windows to promote Explorer. For a student of monopoly, all this looks incriminating. First you give away the product, forcing the competitor to do likewise; then you pressure your (dependent) customers to smother the rival's product; finally, you bribe your customers to favor your product a bit more.

Judge Jackson adopted the government's "facts" and legal theories almost in their entirety. Microsoft had alternative explanations for what happened: AOL was said to have adopted Explorer because it had better technical features than Navigator. But Jackson was so offended by Microsoft's witnesses that he didn't give much weight to these stories. We know this because Jackson has told us. Although he once advised judges not to talk to the press, the judge flagrantly violated his own dictum. After his rulings, he gave numerous interviews, and while the trial proceeded he spoke extensively with Auletta on the condition that nothing could be used until after the trial was over. "Truth be told," Jackson said, "a lot of Microsoft's witnesses were not credible."

As tales of the trial, both Auletta's and Heilemann's accounts are splendid, extensively reported, and well written. I prefer Heilemann's account for several reasons. For a start, it is about half the length of Auletta's tome; Auletta seems to have dumped everything in his notebook onto the printed page. And Heilemann shows in convincing detail—not available in Auletta's account—that the government's antitrust suit was actively promoted by Netscape. The company's attorneys assembled evidence and (along with other Microsoft rivals) aggressively lobbied the Department of Justice to sue. According to Heilemann, the lobbying was critical in persuading Joel Klein, then assistant attorney general for antitrust, to file. For better or worse, legal action now plays an important role in economic competition.

But finally both these books are disappointing. Sooner or later, almost all reporters cover a story that they think is so dramatic and so significant that its narrative cries out to be told in exhaustive and enthralling detail. *United States of America* v. *Microsoft Corporation* struck Auletta and Heilemann as just such a story. They were wrong. It isn't. The human drama is muted: Boies, Gates, Klein, and Jackson just aren't that interesting. The case is significant, to be sure; but its significance lies in the very issues of economic and social power that, by hewing so closely to the court proceeding, neither Auletta nor Heilemann engages directly. In this sense, they miss the story.

III.

PRESUMABLY, THE ANTITRUST laws exist to advance some larger public interest. The trouble with the government's case is that it never demonstrated that Microsoft harmed this larger public interest. It never demonstrated, in particular, that the brutal competition made consumers worse off. Traditional economic theory holds that a monopolist uses its market power to raise prices and to suppress innovation. Competitive markets would lower prices and increase innovation. But this is a hard case to make against Microsoft.

Microsoft sells Windows for pre-installation by computer makers (Compaq, Dell, IBM, and other OEMs) for about $50 to $60 per copy. The retail price of Windows 98 (cited by Jackson) was $89. These levels are hardly oppressive. On a typical personal computer sold in the late 1990s, they might represent 2.5 percent to 10 percent of the final price to the consumer, as the economist Richard McKenzie notes in *Trust on Trial*. McKenzie visited a local computer store in November 1999 and found the retail prices of OS-2 (an IBM operating system) to be $110 and the price for Apple's Macintosh operating-system software to be $85. Suppose that there were four or five major competing PC operating systems. Would all or any of the prices be much lower than the price for today's Windows? This seems unlikely.

As for suppressing innovation, Microsoft's power to do so was limited. Having belatedly recognized the Internet's significance, and also its threat, Microsoft did not try (as it might have) to frustrate the Internet's expansion. Quite the opposite. By bundling Explorer with Windows, Microsoft made it easier for computer users (many of whom were undoubtedly technophobic) to use the Internet. The intense competition between Netscape's browser and Microsoft's browser probably hastened public acceptance of the Internet. At the trial, James Barksdale, Netscape's former chief executive, testified that Microsoft's capture of the browser market would harm innovation because there would be no pressure to improve the technology. His prediction may one day be vindicated. but it has not been yet.

One reason Microsoft won the browser war is that it ultimately created a better product. By late 1996, Jackson found, users could not tell the difference between Explorer and Navigator. By fall 1997, Explorer's quality was rated equal or superior to Navigator's by many technical reviewers. Although Netscape could still distribute its product over the Internet or as a CD sent through the mail, computer users had less reason to adopt it. Despite its present market dominance, Microsoft still issues new versions of Explorer. Similarly, Netscape, which is now owned by America Online, continues to improve Navigator. Comparing the latest versions of both, Walt Mossberg, the computer columnist for *The Wall Street Journal*, concluded that Navigator causes a PC to crash more often than Explorer. "I can't see any real reason for satisfied Internet Explorer users to switch to Netscape 6.0," he wrote, "unless they wish to make an anti-Microsoft statement."

In his decision, Jackson claimed that consumers had suffered harm from Microsoft's power. But this is a mere assertion, with little supporting evidence. Worse, Jackson did not consider any possible good that might flow from Microsoft's domination. Microsoft created an almost universal standard for PCs. This had huge practical benefits. It meant that computer users, having learned one system, would not have to learn another. They could move from job to job without being re-trained on new computers. They could transfer disks from office PCs to home PCs, from desktop PCs to laptop PCs. The standard meant that application software (for writing, games, tax preparation, inventory control, and other tasks) could conveniently be written for a single operating system. This expanded the availability of software. Perhaps seventy thousand programs can run on Windows, compared with twelve thousand for Macintosh, Jackson found.

Economists call this process a "network effect." The larger a network, the more useful it is. If only two people have fax machines, they are not very useful. If sixty million people have fax machines, they are quite useful. Ditto for telephones, e-mail, or software. If many people use a software program, the price can be lower.

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Microsoft spawned a vast worldwide network of people using computers with Windows. This was not pre-ordained. In the late 1980s, Apple's Macintosh was widely regarded as easier to use than PCs with Microsoft software. But Apple's business model was different. It decided to maximize profits by owning as much of the final product as possible. It made and sold computers. It wrote the operating software for Macintosh. It did not license the software to others.

By contrast, Microsoft's approach was (perhaps of necessity) different. In 1981, IBM selected Microsoft's MS-DOS software to run its first personal computer, which used Intel computer chips. In a massive blunder, IBM chose to license the software rather than to buy it. Microsoft kept ownership and licensed it to any company that wanted to make PCs based on the IBM-Intel-Microsoft model. The result was a new industry of personal-computer makers, led by Compaq, Dell, and Gateway, among others. Competition was fierce. Companies adopted new methods of manufacturing, marketing, and distribution. PC prices declined, especially compared to Apple's. Application software expanded.

As McKenzie shows in great detail, Microsoft consistently sought to expand and to enhance the network by keeping prices low and adding new software features. It was this business model, not Apple's restrictive rival, that accelerated the rise of a mass market for personal computers. There is a certain irony that Microsoft's model, which created more opportunities for hardware companies and other software firms, is now under antitrust assault.

IV.

THE PARADOX, THEN, is that Microsoft seems to possess and to exercise monopoly power, but not to enjoy the presumed benefits of higher prices and less innovation. How can this be? The most important reason is the nature of Microsoft's market.

Almost all products and services experience a period of explosive growth—from the point when the product is unknown—before reaching maturity. During the explosive phase, prices usually drop sharply. Companies discover lower-cost methods of production. Lower costs in turn expand the market, and higher sales decrease unit costs. At maturity—at market saturation, when the product has achieved widespread acceptance—companies must survive on the sluggish growth of population increases, replacement purchases, or repeat business. If your car wears out, you buy a new one. If you like a new restaurant, you go back.

For personal computers, the 1980s and the 1990s were the period of explosive growth. The expectation was that, like Henry Ford and the Model T, profits would come more from volume than from price. Gates was very much of this mind. Companies (such as Apple) that pinned their success more on pricing power belatedly discovered that this strategy was shortsighted and self-defeating. The point is simple. Even if Microsoft possesses monopoly power, this was the wrong time to attain to the archetypal consequence of monopoly: higher prices. Gates simply didn't believe that gouging made business sense.

There was also something else that frustrated Microsoft's monopoly power. Again, companies in mature markets can depend on a steady replacement demand. Your car will wear out. It will need maintenance. At some point, its high maintenance costs will persuade you to trade it in. If car companies offer flashy new designs, you may buy a new model before your old one becomes a clunker. Many services also have steady demand: you constantly need to renew health insurance, or to go to the cleaners. But this predictable demand does not apply to personal computers. They have few moving parts, so they do not wear out quickly. In this respect, they are more like televisions than like cars. And unlike dry cleaning or insurance, many of the services provided by PCs do not require repeat purchases.

The upshot is that the PC industry—the chip-makers, the software companies, the OEMs—needs to make customers discard their old PCs (which are still perfectly good) and buy new ones. The obvious solution is to make new models that do more things, and that do them faster and more cheaply. Corporate customers get greater performance for less price: an inventory-control system that works more swiftly, provides more information, and costs less to operate. Individuals get simpler, more reliable, more versatile, and "cooler" machines. Marketing and innovation blend. The point, again, is simple: Microsoft—and everyone else in the PC industry—has a big stake in innovation. Otherwise sales will stagnate.

And high-tech companies hate stagnation. They are obsessed with growth. Without the prospect of rapid growth, investors will not envisage huge future sales and profits that rationalize—perhaps foolishly—high stock-market valuations and price-earnings (or PE) ratios. Companies need high stock prices and high PE ratios to lure new employees with stock options, to raise new money by selling more stock, or to buy other companies with their shares. (A PE ratio is the relation between a firm's stock price and its profits, expressed as earnings per share. Historically, stocks have had a PE ratio of fourteen; but many high-tech firms have recently had PEs in the hundreds or even the thousands.) Microsoft shared the obsession with the stock market. Indeed, Microsoft helped to create it. Thousands of its employees have stock options.

BUT IF MICROSOFT'S markets prevented it from being a textbook monopolist, the same markets conditioned it to act like a bully. No book better defines the mentality of today's high-technology industries than *Only the Paranoid Survive*, by Andrew Grove, the chairman of Intel. Published in 1996, Grove's book portrayed business success as fragile and constantly threatened. If you don't worry about everything, you may soon not have to worry about anything. And you should worry most about "strategic inflection points": basic business changes that might propel your firm to new heights or consign it to oblivion.

Grove argued that these strategic inflection points occur in most industries. The advent of Wal-Mart and other superstores obliterated many local stores, regional chains, and old-line discount stores. Yet the upheavals seem more common in industries dominated by technological change. Personal computers threatened traditional computer firms. Many foundered, and Digital Equipment Corporation, once the second largest computer-maker, did not survive. Grove's theme has now become dogma in the high-tech world. "My job is to delegate paranoia," Steve Case, the chairman of America Online-Time Warner, told Auletta. Gates has written that "sometimes I think my most important job as CEO is to listen for bad news."

More than anyone, Gates personifies management by paranoia. He lives in a harsh world of threats and opportunities. This helps to explain both Microsoft's success and the loathing that it inspires. When Gates pursues another company's business, he does not go after a little of it or most of it. He goes after all of it. It's eat or be eaten. Interestingly, some of Netscape's top officers had the same idea. They bragged that they could topple Microsoft. As Auletta and Heilemann observe, Microsoft could have plausibly argued at trial that its attacks on Netscape were simply a response in kind: they tried to kill us, so we tried to kill them. Instead, Gates and Co. pretended unconvincingly that they were not especially bothered by the Netscape threat. Gates probably saw Netscape's challenge as a potential strategic inflection point—a struggle that, if lost, might lead to ruin.

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He may have been right. But he may also have misjudged the true strategic inflection point confronting Microsoft. In the early 1990s, Microsoft ceased being an ordinary company and became a company that had to watch its relationship with the government. When companies attain a certain critical mass of size and power, the government inevitably becomes a lightning rod for complaints and discontents—from competitors, customers, and the public. Microsoft simply joined the likes of General Motors. The complaints may or may not be justified; but any company concerned with its own well-being will try to anticipate them and, if possible, to defuse them. And surely, once they occur, it will take them seriously.

Gates and his associate Steven Ballmer failed to make this transition. They had ample warning: in 1994, the government and Microsoft had reached an antitrust consent decree involving practices that the Justice Department regarded as anti-competitive. Afterwards Gates and Ballmer treated the consent decree contemptuously. They did nothing to moderate Microsoft's hyper-competitive behavior. Would it really have been crippling to allow Compaq and other computer makers to offer Navigator as the preferred browser, if some customers wanted Navigator?

Explaining Microsoft's take-no-prisoners attitude, Auletta and Heilemann contend that Gates and Ballmer were determined to avoid the fate of IBM, which lost its dominance of the computer industry arguably because the company became bureaucratic and fearful of antitrust suits. "The minute we start worrying about antitrust, we become IBM," Gates once remarked, according to Heilemann. There may have been other reasons. Perhaps Gates and Ballmer were too parochial: so immersed in business that they could not see anything else. Whatever the explanation, the lapse represented a real failure of corporate management, and it opened up Microsoft to a government action that more astute executives might have avoided.

Regardless of how the antitrust case concludes—Microsoft might win reversal of some or all of Jackson's rulings—it has cost Microsoft dearly. On this, Auletta and Heilemann also agree. There has been a huge drain on the time and the energy of top executives; some of them have left. It has tainted the company's image, probably irreparably, an image that had been (except among some disgruntled techies and corporate rivals) immensely favorable. Microsoft was once everyone's example of America's entrepreneurial genius at work.

The financial costs have also been substantial: one official told Auletta that the trial expenses could total $100 million. But if Microsoft ultimately loses, there might be damages (perhaps in the billions) from private lawsuits. Some see Microsoft as a victim of the government's excesses, but it is a victim also of its own.

V.

TODAY'S ANTITRUST LAWS cannot deal easily with the likes of Microsoft. These laws were crafted to enhance Adam Smith's competition, and they founder on Joseph Schumpeter's competition. Smith's competition assumes that the more competitors, the merrier. It assumes that sellers peddle similar products or services. Schumpeter's competition is a struggle between the old and the new. The number of sellers does not really matter. Much competition in the computer world is of the Schumpeterian type, and the intellectual foundation of today's antitrust laws lacks a coherent basis for distinguishing between socially desirable behavior and socially destructive behavior. This is why the Microsoft case is so confusing. Microsoft seems to have behaved badly without hurting anyone, except its rivals.

The most damning commentary on the government's case came from its chief economic witness, Franklin Fisher of the Massachusetts Institute of Technology. Asked whether consumers were being victimized by Microsoft, he said: "On balance, I would think the answer was no, up to this point." The government wants Microsoft broken into two competing firms on the basis of hypothetical harm. One company would own Windows; the other would own all of Microsoft's other activities (the browsers and application software). Competing against each other, the companies would (supposedly) create rival operating systems and applications. There have been countless other imagined outcomes, from two complementary monopolies to a chaos of competing operating systems.

As sensible policy, the proposed breakup seems a stretch. Yet Fisher and economist Daniel Rubinfeld (formerly the antitrust division's chief economist) argue that this is precisely what the antitrust laws allow. "Antitrust law does not require proof of such [consumer] harm," they write in *Did Microsoft Harm Consumers?*, a recent publication of the American Enterprise Institute. "The law merely requires harm to competitors on the general presumption that such harm, in turn, leads to harm to consumers." Here is the crux of the issue. Everyone agrees that competition is good, but hardly anyone faces the hard question of what constitutes competition. The loose language of antitrust laws gives courts much leeway in defining permissible behavior.

The government's argument against Microsoft, if accepted, could transform antitrust laws into legal weapons deployed by companies against their rivals and disconnected from any larger public interest. Any company that achieves market dominance might face suits from disgruntled competitors, alleging antitrust violations. Consumer harm would be assumed, even if it could not be found. The antitrust laws could evolve into an official sanction against striving and success. Boorish and bullying behavior would be criminalized.

This would be undesirable. The boundless ambition of people such as Gates helps to perpetuate America's vitality. As often as not, the creators of great enterprises are driven, single-minded, unreasonable, passionate, highly competitive, relentless, self-righteous, and egocentric. They are not always likable. They see business as a merciless struggle. "This is rat-eat-rat, dog-eat-dog. I'll kill 'em, and I'm going to kill 'em before they kill me," Ray Kroc, the founder of the McDonald's chain, once said. Gates belongs to this class. They may or may not be good neighbors, friends, or parents; but their obsessiveness fosters new ideas and industries. Their success ought to be curbed and penalized only if it becomes abusive to the larger society.

But what if there is no way of assessing abuse? Microsoft's power, and the resentment that it inspires, lies in the network. Most personal computers use Windows. This creates huge benefits of standardization, while also conferring on Microsoft immense economic and technological power. Many of Microsoft's customers and competitors naturally regard it as a despot, benevolent or otherwise. Everyone that depends on Windows is vulnerable to Microsoft's next whim. Given the network's importance, the interesting thing about the Microsoft trial is how little attention was paid to it.

In some ways, this was understandable. The government could not focus on it without inviting a cost-benefit calculation of the network's value; and this might have gone in Microsoft's favor. But Microsoft could not raise the network's value in its defense, because its position as the network leader looks like a "natural monopoly"—and past natural monopolies (such as the telephone company and the electric utilities) have been regulated by the government to prevent abuses of their pricing power. Microsoft did not want to justify government supervision of its operations. The perverse result was that the central questions posed by the Micro-

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soft antitrust case were virtually ignored. How can society deal with the network? Should society deal with the network?

Just because the Justice Department's case against Microsoft is weak does not mean there is no case. The great fear inspired by Microsoft is that it will use its huge profits from Windows to extend its reach—its monopoly—into related markets. It will incorporate more and more new software into Windows, just as it incorporated the browser. And it will overwhelm competitors in many software markets. This has already happened in popular applications (word processors, spreadsheets). It may now be happening for software for servers—the computers that manage networks of other computers. A decade ago, Microsoft's share of this market was negligible; today it is rising rapidly.

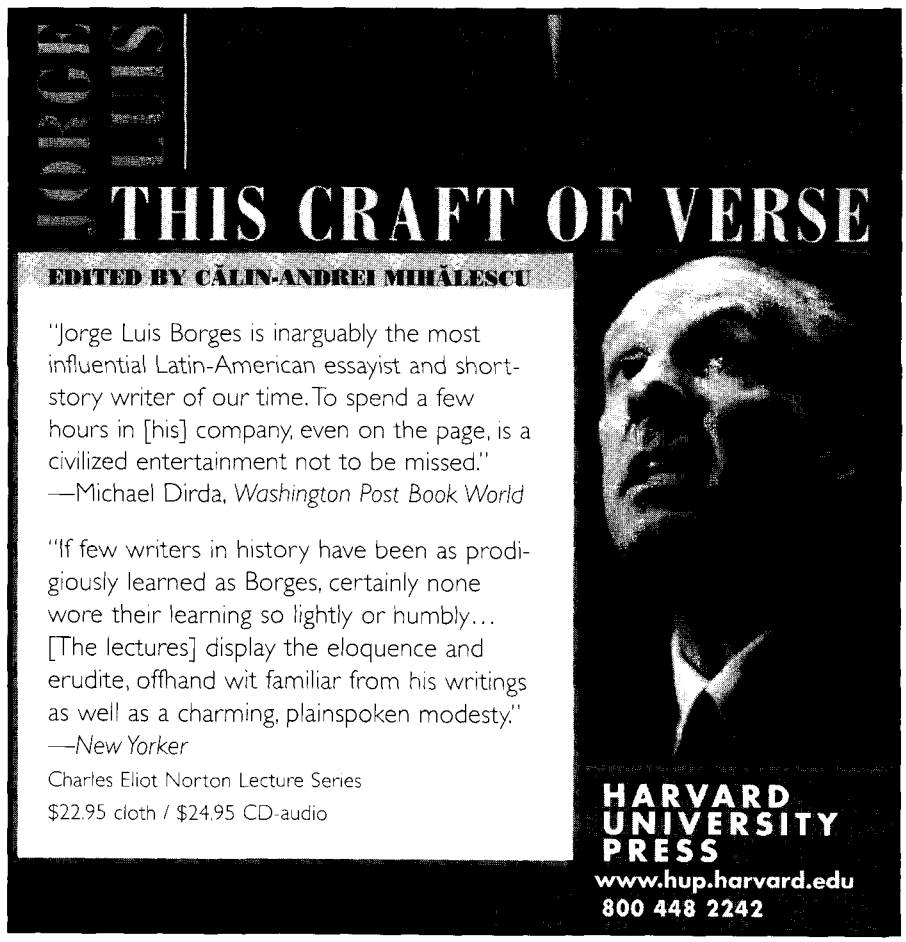
To its critics, Microsoft is the grim reaper. Wherever it ventures, its rivals ultimately die. This specter is plausible. I have argued that so far this process has mostly benefited the public. The conquests involved mostly competitive (or superior) products at competitive prices. But this may not always be true. Microsoft's intensely competitive behavior reflects the youth of the personal computer industry and all its derivatives, including the Internet. Once the industry matures, things could change. Microsoft might compensate for slower growth by raising prices. At least in the short run, it faces few restraints. And so many computer users, both companies and individuals, may be locked into Microsoft's technology that the costs of changing it would be prohibitive. Technology could become rigid, if not frozen. What will curb Microsoft's power then?

THERE ARE ANSWERS, but none of them is entirely satisfactory. Judge Jackson ruled that Microsoft's market consists of desktop computers with Intel-like chips. In this market, Microsoft enjoys a near-monopoly. But what if the true market is much broader: the delivery and the display of digital information? Then Microsoft's position is much weaker. In many areas, its ambitions remain unfulfilled. Its online Internet service (MSN) lags far behind AOL-Time Warner. Palm Pilot dominates the hand-held computer market, not devices using Microsoft software. Similarly, Microsoft has struggled to be a major player in writing software for wireless devices. Threats from alternate technologies, existing and not yet existing, may check Microsoft's power and complacency. Interestingly, Schumpeter seemed to embrace this view. His sort of competition, he wrote, acts before it assumes a concrete form and only is "an ever-present threat. It disciplines before it attacks."

What also restrains Microsoft is its reputation for ruthlessness. As a software company, it needs partners, such as hardware companies (the makers of computers, wireless devices, or other "boxes"). The very characteristics that make Microsoft an attractive partner—its wealth, prominence, market power, and drive—also scare possible partners. Dependence on Microsoft may seem like a death wish. Auletta relates a telling story of Gates meeting with the heads of major cable-television companies. He was trying to persuade them to adopt Microsoft's software for set-top boxes that would provide television access to the Internet and interactive television. Gates wanted a fee for each box and fifty percent of any revenues from interactive transactions or Internet advertising. According to Auletta, the cable-television chiefs were stunned by Gates's proposal. A fee was reasonable. A cut of their revenues was not reasonable. He wanted control of their business. Brian Roberts, the head of Comcast—a company in which Microsoft had an 11.5 percent ownership stake—broke the silence: "Bill, let me be the first to express our reaction: no fucking way."

Microsoft's rise has been so stunning that it naturally casts itself as a morality tale: "Small Company Becomes Amazing Success but Is Undone by Its Own Power and Wealth." Once upon a time, Heilemann writes, "interviewing Bill Gates was one of the great pleasures in journalism." He was unlike most corporate CEOs or major politicians, who are "polite and pleasant to the point of inanity ... and [who] ooze false sincerity and exude excess optimism." Gates, by contrast, was candid, engaging, offensive, and profane. But when Heilemann visited Gates in early 1999, he found someone who is "guarded, distant and defensive." He had been ground down by the consequences of his own success.

This story no doubt contains much truth. But the larger story is one of ignorance. As a society, we have yet to reconcile old laws with new technologies and new industries. Economists, legal scholars, business leaders, and politicians need to develop a consensus, or at least some rudimentary understanding, about how, if at all, to police Schumpeter's competition. Right now there is only a huge black hole of knowledge. Sooner or later the Microsoft case will be resolved. It might be settled by the company and the government; or the courts may determine Microsoft's fate. But the unsettling fact is that nobody can possibly know the consequences of curbing Microsoft's power or of leaving it alone. One way or another, we will all be driving in the dark. ■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EDITED BY CĂLIN-ANDREI MIHĂILESCU
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Königsberg Confidential

By SIMON BLACKBURN

Kant: A Biography by Manfred Kuehn

(Cambridge University Press, 544 pp., $34.95)

THERE IS A scene in the film *Superman III* in which Lorelei Ambrosia, the blonde bombshell, is secretly reading the *Critique of Pure Reason*. "But how can he say that pure categories have no objective meaning in transcendental logic? What about synthetic unity?" she squeaks, before hurriedly hiding the book and picking up a trashy magazine as her gangster boss enters. The director's choice of book was perfect: no other single work could be so improbable, and so easily recognizable as such by the audience. You might just take Bertrand Russell on a beach holiday, as I once did; but Kant, never. (Incidentally, although she has not quite mastered the jargon, Lorelei's question is a good one.)

Kant is notorious not only for opacity and difficulty, but also for having lived about the most unpromising life imaginable for a biographer. He spent it entirely within a few miles of the desolate coastal town of Königsberg, or Kaliningrad, in northeast Prussia. He never travelled. In all his life he never saw a mountain and never heard a decent orchestra. He never married. Once he met a "beautiful and well brought up widow from somewhere else," but by the time he had calculated income and expenses, she had married someone else. Another girl, from Westphalia, also struck his fancy, but he was still thinking about making an offer when she crossed the border out of Prussia. Kant almost certainly never had any sexual relations, and one hopes for his own peace of mind that this was so, since he held that sex outside marriage dishonors human nature, and "exposes mankind to the danger of equality with the beasts."

Kant's life, like that of a monk, was regular to the point of caricature. The familiar story that the townspeople could set their clocks by the time at which he took his afternoon walk had at least some truth in it. The University of Königsberg was his monastery. There were no heroics: when, in 1794, he fell afoul of the theological censors appointed by the Rosicrucian bigot Frederick William II, he gave in and promised not to do it again. He lectured, wrote, declined, and died a safe university man.

Not only are the externals unpromising, but they seem perfectly to express the inner man. Kant was small, and self-controlled, and unhealthy. He was preoccupied with the state of his bowels, and he seems to have devoted a lot of quite public attention to what Hamann called his "evacuations a posteriori." He found it difficult to laugh. The Prussian virtues of discipline, efficiency, thrift, hard work, and obedience are all canonized in his life and in his writings. Surprisingly, it seems to have been not a Prussian but an Englishman, a man called Green, who led the young Kant into these rigorous pathways. It was Green, a merchant and a close friend, who impressed Kant with the virtues of living according to uncompromising rules or maxims, and before Kant it was Green by whose doings the townspeople set their clocks.

YET IN THIS exhaustive and fascinating biography, the distinguished German scholar Manfred Kuehn struggles to convince us that the bloodless, legalistic Kant is mainly a myth. For Kuehn, neither Kant nor his frontier town is half as bleak as the conventional picture has portrayed them. Königsberg, after all, was the first capital of Prussia, where Frederick the Great's grandfather had proclaimed himself king in 1701. (Prussia's third centenary is a matter of somewhat controversial celebration in Germany this year.) It was a proud cosmopolitan city in which Russian and English businessmen rubbed shoulders with Prussian academics and nobles.

Kuehn introduces us to a long list of more or less forgotten academics and divines, merchants and minor landowners, whose lives revolved around the university. In his account, Kant was in the thick of a rich social and intellectual life. Anthony Quinton once wrote that the trouble with Kant is that "he is a wild and intellectually irresponsible arguer. Any innate leaning that way must have been enhanced by the intellectual isolation of Königsberg, which preserved him from serious criticism." But Kuehn will have none of this, and the long list of Kant's academic wrangles certainly rebuts the charge that he was insulated from serious criticism.

Not only was Königsberg a kind of Athens of the Baltic, but this Kant, too, is hardly the cold automaton of legend. In his youth he played billiards well enough to be something of a hustler; and when targets refused to play with him, he turned to cards as a supplementary source of income. With his increasing respectability these adventures had to cease, but Kant was not immune to temptation, even after he had adopted one of his own iron-clad rules or maxims of conduct. So, emulating Green, he gave himself the rule of just one pipe of tobacco a day, but friends noticed that as the years went by the pipe got bigger. He seems to have been an enthusiastic guest and host, seldom dining alone, prone to talk about gossip and politics rather than matters intellectual, and not at all averse to a moderate quantity of wine.

Inevitably, for someone of a dour Pietist background, all this rioting gave rise to some serious soul-searching. In the early *Lectures on Ethics* gluttony comes in for special criticism—bestial, again; and in the more humanistic late work *The Metaphysics of Morals* Kant still tells us that stuffing oneself with food incapacitates a person "for actions that would require him to use his powers with skill and determination." It is obvious that putting oneself in such a state violates one's duty to oneself. Fortunately all is not quite lost:

> Although a banquet is a formal invitation to excess in both food and drink, there is still something in it that aims at a moral end, beyond mere physical well-being: it brings a number of people together for a long time to converse with one another. And yet the very number of guests (if, as Chesterfield says, it exceeds the number of the muses) allows for only a little conversation . . . and so the arrangement is at variance with that end, while the banquet remains a temptation to something immoral. . . . How far does one's moral authorization to accept these invitations to intemperance extend?

With such a question buzzing in his

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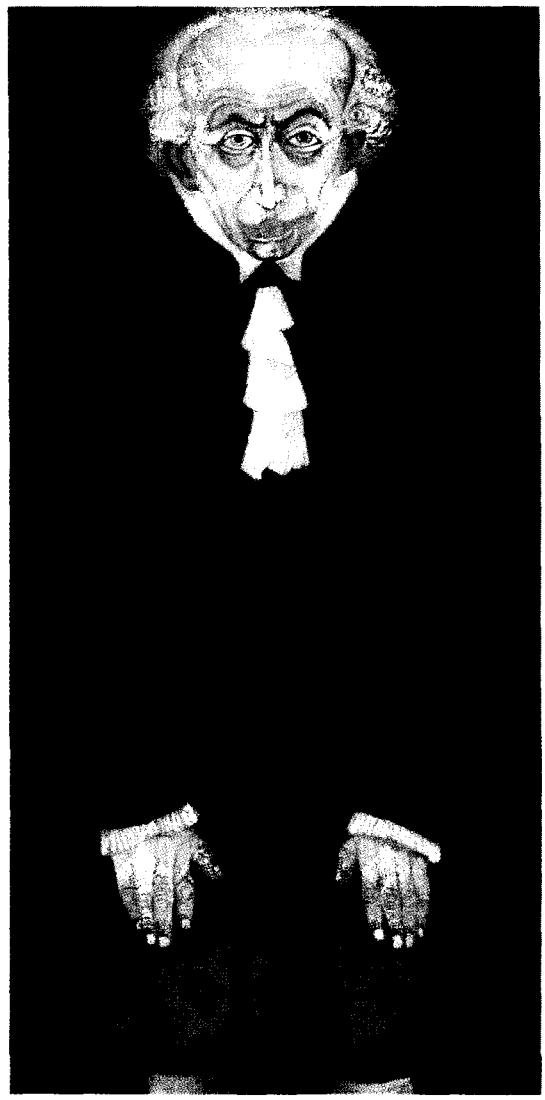
mind, one would hardly expect Kant to have been the life of the party. Yet "jest, wit and caprice were in his command," raves (the verb is Kuehn's) the younger Johann Gottfried Herder, hastening to add, "but always at the right time, so that everyone laughed," slightly spoiling the effect. Kant apparently thought very highly of Fielding's romp *Tom Jones*. One cannot imagine that he thought as highly of *Joseph Andrews*, whose Parson Adams illustrates Fielding's unswerving devotion to simple good nature, contrasted with the cold qualities of rectitude and "abstract contemplation on the beauty of virtue."

Kant would have remained a fairly minor figure in the history of philosophy had it not been for one decade of thought and one decade of publication. In 1770, upon becoming professor of logic and metaphysics, he delivered his Inaugural Dissertation, *On the Form and Principles of the Sensible World*. Here, for the first time, some famous doctrines of the "critical philosophy" come into view. Kant insists on a number of sharp divisions. He separates concepts and intuitions, or intellect and sensation. He separates "things in themselves" from "things as they are for us," or, in other words, he distinguishes the noumenal from the phenomenal. He sees space and time as the forms of our sensibility, imposed on the noumenal world as a condition of our experience of it. But he also leaves room for a genuine "metaphysics," or science of the world as it is in itself, knowable through the pure principles of the understanding.

There was a fatal flaw lurking in all of this. The key to metaphysics would need to be causation: it is because the noumenal causes the world as we apprehend it that it is a possible object of knowledge. Thirty years previously, however, Hume had already blocked the road to any purely rational knowledge of what causes what. In Prussia, Hertz and Hamann soon brought Hume's criticism of speculative reasoning about causation to Kant's attention: it now seemed that causation itself had to be seen as the work of the mind, or as a form of sensibility. Kant was later to say that it was Hume who "first interrupted my dogmatic slumbers." It took a decade for him to come to terms with the problem that Hume had left him.

The result was the eight hundred and fifty-six pages of the *Critique of Pure Reason*, published in 1781, when Kant was fifty-seven years old. The central doctrine of this extraordinary work is the interdependence of intellectual cognition and experience: "Thoughts without content are empty, intuitions without concepts are blind." It takes both conceptual ability and its application in experience to generate intelligible thought. It follows that the pure metaphysics that Kant had previously imagined, his reasoning beyond the limits of experience, could have been nothing but an illusion.



COURTESY SMITHSONIAN INSTITUTION

Richard Lindner, "'Two things fill the mind with ever new and increasing admiration and awe, the oftener and more steadily we reflect on them: the starry heavens above and the moral law within.' Immanuel Kant, Critique of Practical Reason, 1788," 1951

To be sure, armchair or a priori reasoning is possible—but not about the world as it is in itself. Such reasoning concerns only the world as it appears to us. When we attempt to reason beyond this, wanting to know about the nature of the soul, or the world as a whole, or the existence of God, reason falls into contradiction, and its exercise is doomed to failure. As its name implies, the *Critique of Pure Reason* is fundamentally a skeptical work, and this is how it was seen by its contemporaries. Kant became famous as the *Alleszermalmer*, or all-crushing skeptic and critic of rational theology and metaphysics. Indeed, contemporary opinion tended to assimilate Kant not only to Hume, but even to the notorious idealist Berkeley—a charge with some justice to it, but one that particularly outraged Kant himself.

In the contemporary world, as Kuehn observes, Kant is more commonly seen as an opponent of skepticism, more interested in the scope of our knowledge than in its limits. Such are the revolutions of philosophical interpretation. This positive side is certainly there, but it is only part of the picture, since for Kant himself the point of the critical philosophy lay elsewhere entirely. It lay in its religious and moral implications. Throughout the 1780s, Kant wrote the works on moral and religious themes that stand alongside the *Critique* as his great legacy to philosophy. *Groundwork of the Metaphysics of Morals* appeared in 1784; and by 1790 there were two more critiques, as well as one book expounding his system in a more accessible form (*Prolegomena to Any Future Metaphysics*) and the strange *Metaphysical Foundations of Natural Science*, which sought to place Newtonian physics on a pure, a priori footing.

Even if Kant's life was speckled with outbreaks of conviviality, it is difficult to say the same for his uncompromising, law-intoxicated moral philosophy. Kant's moral psychology is one in which duty is forever at war with blind and slavish inclination, which itself is always a species of self-love. Emotions and desires are the enemy. You score moral points only when duty wins over them, and just because it is duty. In most of Kant's moral writings, in fact, the less you care about other things and other people, the better.

Bliss, for Kant, is equated with complete independence from any inclinations or needs, including feelings of compassion and sympathy with others. But since as human beings we are unlucky enough not to have this freedom, we must be on the alert to slap our feelings down. We gain moral credit only when we do so. Hence Schiller's famous jibe: "I must try to hate my friends so that my doing them good, which now I gladly do, will acquire moral worth." Kant's ideal, more accurately, is that you should try to be apathetic about your friends, and about everything else. Only then does real freedom, or real "autonomy," hold sway. Kant would not have

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been a happy reader of books extolling emotional intelligence.

Nor is a life of duty a bed of roses. As all students of philosophy learn, the duty of truthfulness extends for Kant to telling the mad axman where your children are sleeping (if he asks, that is, and makes you answer). There is no room to wriggle. You cannot argue that the axman has no right to the truth. That just means that you do *him* no injustice by lying. But you still inflict a wrong upon humanity, and violate a sacred command of reason. In Kant's account of morality, it is quite easy to wrong humanity. Not only the bestialities of gluttony and misdirected sex, but also more principled stands such as rebellion against a government, wrong humanity, no matter how unjust, arbitrary, usurping, or plain evil the government may be. It can be so grim doing your duty that we are forced to postulate a life after death where happiness and righteousness get back into alignment. The critical philosophy completely destroys any project of rational theology, but then our needs are supposed to step in and fill the gap. We may not be permitted to lie, but we are permitted the wishful thinking of eschatology.

IN SPITE OF such unpromising doctrines, Kant is undoubtedly the most influential moral and political philosopher of modern times. At present he probably has more, and more crusading, defenders among professional moral and political philosophers than ever before. He is a foil to "utilitarianism," which is equated in many minds with a fearsome social engineering that puts the individual firmly at the service of the collective. Better still, he directs attention away from any very demanding educational needs. According to the Greek tradition, virtue is rare and requires the most careful cultivation and practice; and democracy requires virtuous citizens. For Kant, by contrast, people have the possibility of autonomy, or freedom, and above all they deserve respect, just like that. They do not have to work to earn respect. And however dim or dumb they may be, democratic republicanism is the right form of government.

Kuehn shows in detail how these views developed. Just as with the critical philosophy, there was a revolution in Kant's thinking. As well as having a taste for Henry Fielding, Kant grew up accepting the ethical views of Frances Hutcheson, the great eighteenth-century Scottish moral philosopher. Hutcheson, who coined the phrase "the greatest happiness of the greatest number," founded morality on a "moral sense" or sentiment of impartial benevolence toward humanity. Kant was apparently disabused of this approach by reading Rousseau. He tells us about it:

> I am an inquirer by inclination. I feel a consuming thirst for knowledge, the unrest which goes with the desire to progress in it, and satisfaction at every advance in it. There was a time when I believed this constituted the honor of humanity, and I despised the people, who know nothing. Rousseau set me right about this. This binding prejudice disappeared. I learned to honor humanity, and I would find myself more useless than the common laborer if I did not believe that this attitude of mine can give worth to all others in establishing the rights of humanity.

The trouble with benevolence, Kant came to feel, is that it appeals to our feelings. But Kant wants a moral order in which we do not just happen to concern ourselves for others. We are under a duty to each other: our equal dignity demands their respect, and "what properly belongs to me must not be accorded me as something I beg for." The problem with private benevolence, as with public charity, is that it treats its objects as pitiable, as beggars, and this is a way of refusing to recognize their rights. It conceals our own injustice. The beggar is to be submissive and grateful; the benefactor is to be gracious and generous. But a person with rights should not have to be either submissive or grateful; and the person who heeds those rights is doing no more than listen to a demand, and so listening is neither gracious nor generous. It is a matter of obligation.

There is something sublime here, and something that will appeal to anyone looking to legitimate a liberal order. The claim is that there is indeed such a thing as a rational way of living, and that there is a duty to respect it and to aim for it. This duty is not something that we create, or happen to find burdening us, like a chore imposed on us either by our own will or by that of someone else. It is, rather, rationally mandated; reason makes it compulsory. Its authority is visible to any rational agent. And, unlike our inclinations, it is categorical and inescapable. Maxims of behavior that appeal to our well-being ("honesty is the best policy") merely advise us, but the law of morality commands us.

Thus Kant promises to provide the template or the form for a universal, liberal, Enlightenment politics. If the system works, there are no problems of skepticism, nihilism, or relativism. If our principles measure up, we need not fear that our favorite view is arbitrary or parochial, or that we are imposing our opinions without rational warrant on others over whom we have power. No wonder, then, that moral and political philosophers want the system to work. In this construction of the place of philosophy in the human world, philosophers are not mere bourgeois, selfish, and timid creatures of a particular time and place, vainly hoping to impose their liberal standards on others unlike themselves. They are in the vanguard, articulating the demands that, because of the very structure of reason itself, must be heard by everyone.

IT MAY BE that Kant, because of his pietistic Protestant background, got those demands slightly wrong. But that leaves the hope of being able to soft-pedal some of his absolutism while retaining the essence of his approach. This involves crying up the passages in which Kant seems a little less severe than usual. It means a little bit of pick 'n' mix, trying to tow Königsberg some way to Edinburgh, or to Athens. This is a major industry in philosophy departments from Cambridge to Los Angeles. There are Aristotelian Kants, and Humean Kants, and even postwar Parisian existentialist Kants. One surprising feature of Kuehn's book in this context is that while Kant himself is painted as a bit of a lad, the late *Metaphysics of Morals*, which is the main resource of humanizing movements, is put down as disappointing: "it reads just like the compilation of old lecture notes that it is."

Contemporary manifestations of Kantianism tend to work through ideas of what reasonable people could demand of each other, of "contractarian" and "procedural" approaches to the foundations of society and morality. The fountainhead, of course, was John Rawls's *A Theory of Justice*, and Rawls's Harvard has been the main powerhouse of the "back to Kant" movement in liberal political philosophy. But in truth there is a serious question about how far the Kantian trappings of Rawls's works, and those of his followers, are not necessary to the argument, and therefore dispensable.

A Theory of Justice cracks up a social and fiscal order somewhat resembling the social democracies of Western Europe, with their substantial freedoms and their substantial welfare floors. The book gives the impression that this is a Kantian exercise of pure practical reason, describing the necessary goal of rational politics. But over the years this appearance has eroded. Perhaps a nice liberal welfare state is no more (or less) than the kind of place in which some of us would choose to live. It appeals to us not because of our autonomy, or because of our especially clear gaze into the crystal ball of pure practical reason, but only because we are prudent, and mildly benevolent, and not obsessive

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about the powers of the state or the beauties of the market.

Even if we do not all want to go back to Kant, none of us can escape him. He invented the guiding metaphor of contemporary thought, of all thought since his time. This is his Copernican revolution: that the world as we know it is at least partly a creation of the conceptual and linguistic resources that we bring to it. He articulated the guiding principles of liberal political thought. He may never have seen a decent painting, but he wrote the most interesting work on aesthetics in Western philosophy after Aristotle. Russell thought that Leibniz was the greatest example of pure intellect that the world had ever known. Russell, who could write well, was naturally prejudiced against Kant, who could not write well; but surely Kant is the only other contender for the Western mind's laurels. ■

Inauthentic Fabrics

By RUTH FRANKLIN

The Biographer's Tale by A.S. Byatt

(Alfred A. Knopf, 305 pp., $24)

On Histories and Stories: Selected Essays by A.S. Byatt

(Harvard University Press, 196 pp., $22.95)

SOME CHILDREN DREAM of becoming astronauts when they grow up; others dream of becoming librarians. A.S. Byatt's characters fall into the second category. Among them are: an impoverished, confused graduate student; a literary critic fiercely marking her intellectual territory; a reedy naturalist chasing down rare insects in the Amazon; an intensely repressed governess who authors books about ant colonies on the side; a beautiful radiologist who regards a bowl of marbles as an intellectual puzzle. Reclusive and introspective, they devote their minds to arranging, to categorizing, to developing an organizing principle for the world: this is life as a card catalogue. As Byatt wrote about her first novel, *The Shadow of the Sun*, which was published in 1964, "I found myself writing into my text 'taxonomies'—from one girl's study of all young men in Cambridge to a formicary and an essay in field grasses, from children's pictures representing alphabets to a long discursus on child's pre-speech."

As interested as Byatt is in compartmentalization in all its forms, she is equally obsessed with recovering and uncovering the past, recent and not so recent. *Possession*, as is well known, depicts the literary sleuthing of two young scholars who are forced to reconsider the Victorian poets they study after finding a trove of their love letters. Byatt's other novels—they include *The Virgin in the Garden*, *Still Life*, and *Babel Tower*, the first three of a planned tetralogy, as well as *The Game*—are all set in the twentieth century, but they incorporate allusions to everything from Elizabethan drama to Arthurian romance. And in the linked novellas "Morpho Eugenia" and "The Conjugial Angel" (which appeared together as *Angels and Insects*) she returned to the Victorians, meditating on concepts such as the conflict of Darwinism and theology, and Swedenborg's views on love after death.

Byatt's dual obsessions come to a head in both of her new books. The plot of *The Biographer's Tale* revolves around a graduate student who sets out to write a biography of a biographer, a double immersion in history and literary analysis. And of the seven essays in *On Histories and Stories*, Byatt devotes four to the investigation of various aspects of historical fiction, including her own methods of writing. The ideas explored here are ones that Byatt has already examined at great length, and this may account for the staleness of both books. Or perhaps it is that Byatt's techniques—the inclusion of fictitious "original texts" in the narrative, the lengthy digressions on some topic or another—no longer feel as fresh as they did ten years ago. Whatever the reason, both books are disappointments.

THE BIOGRAPHER'S TALE begins with an epiphany. Phineas Nanson, a doctoral student in English literature, is sitting in a seminar discussing Lacan's theory of *morcellement* when he decides, seemingly apropos of nothing, that he cannot go on. He has had it with the world of academia, with seminars on "not-too-long texts written by women," with the professor himself, who "read his Foucault and his Lacan in translation, like his Heraclitus and his Empedocles." And he has had it with the redundancies and the superficialities of contemporary critical theory: "We found the same clefts and crevices, transgressions and disintegrations, lures and deceptions beneath, no matter what surface we were scrying." Though neither as acid nor as funny as the satire in *Possession*, Byatt's depiction of life in the postmodern academy still wickedly hits the mark. At one point Phineas comments, "I had avoided the trap of talking about 'reality' and 'unreality' for I knew very well that postmodernist literary theory could be described as a reality. People lived in it."

What Phineas wants is "a life full of *things*.... Full of facts." A kindly professor of Anglo-Saxon—quite the other end of the spectrum from postmodern theory—to whom Phineas proudly declares his change of heart directs the young scholar to what he calls "the greatest work of scholarship in my time": a three-volume biography of Sir Elmer Bole, a fictitious Victorian seemingly modeled, at least in part, on Richard Burton, the swashbuckling explorer and orientalist. Phineas confesses that he has always thought biography a "bastard form." But he is surprised to find that he becomes absorbed in the biography, which describes in impossible detail Bole's adventures as a writer, diplomat, naturalist, traveler, and scholar of everything from British military hygiene to pornographic Roman jars.

As Phineas reads and re-reads the volumes, his interest in Bole slowly metamorphoses into an interest in Bole's biographer, Scholes Destry-Scholes. For he knows even more about even more varieties of arcana than even Bole himself (though perhaps not more than Byatt): "the morphology of Mediterranean solitary bees, the recurring motifs of Turkish fairy tales, the deficiencies of the supply-lines of the British army." Phineas becomes fascinated by Destry-Scholes's construction of the biography, "his resourceful marshalling and arranging of facts." And he determines, inevitably, that he will write a biography of the biographer: "Only a biography seemed an appropriate form for the great biographer."

Phineas throws himself into the project with gusto, writing to Destry-Scholes's

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publisher, placing an ad in the *Times Literary Supplement* asking the biographer's friends and family to contact him, and ordering from the British Library every book listed in the biography's bibliography. But his subject proves oddly elusive. The best the publisher's archivist can come up with is a handful of letters from Destry-Scholes, three of which read: "I return the proofs herewith, as requested." But then the archivist passes along three manuscripts that no one has been able to identify, written on what Phineas immediately recognizes as Destry-Scholes's typewriter. The manuscripts are inscrutable: they appear to be pieces of biographical accounts of three historical figures, referred to only by their initials but quickly identified by Phineas as Carolus Linnaeus, the Swedish taxonomist; Francis Galton, the eugenicist; and Henrik Ibsen. Even more maddening, they appear to be a mix of fact and fiction, rather like *The Biographer's Tale* itself.

As Phineas is reaching his peak of frustration with these documents, he receives a letter from Vera Alphage, a niece of Destry-Scholes, who invites Phineas to her house to examine a suitcase of her uncle's possessions. Phineas is profoundly excited to come into contact with the great man's artifacts—he has methodically moved from seat to seat of the British Library so that he could be sure of having sat in Destry-Scholes's—but the suitcase turns out to contain mostly junk: old shoes, twine, tacks, underwear. Yet there is also a shoebox, filled with index cards on which various unidentified quotations are written, and a bag of marbles, along with a little book of names that were apparently assigned to the marbles. As Phineas sits down to study and sort out the index cards, Vera does the same with the marbles, determined to decipher her uncle's system of naming them.

AS SHOULD BE evident, Byatt's pet obsession with order and systems of organization is allowed to flower robustly in this novel; and it finds exuberant personification in the figure of Fulla Biefeld, a Swedish bee taxonomist whom Phineas meets at the Linnean society and who eventually becomes his lover (as does the icy Vera). Biography, too, is represented as a variation on taxonomy—Destry-Scholes's notes from a lecture on biography read, in part:

> First find your facts.
> Select your facts. (What to include, what to omit.)
> Arrange your facts.
> Consider missing facts.
> Explain your facts. How much, and what, will you explain, and why?

This description of "the art of biography" could just as easily be about the way in which Byatt goes about writing—or, more accurately, assembling—her novels, a topic of much discussion in *On Histories and Stories*. Byatt was a literary critic before she became a writer of fiction, and she sees the two practices as inseparable. In the essay "True Stories and the Facts in Fiction," describing her work on "Morpho Eugenia" and its related novella, "The Conjugial Angel," she notes that both texts were rooted in academic ideas, and

> the same ideas could have turned into academic papers on "Swedenborg, Spiritualism, the energetic principle of love for the beautiful, The Human Form Divine and other uses of the human body in *In Memoriam*." Or "Arthur Hallam, Alfred Tennyson, Emily Tennyson and Emily Tennyson [?]: Male Friendship and Victorian Women." Or "The Life after Death in the Victorian Imagination" or "Sexual Selection and Insect Societies in Victorian Thought." Or "The Earthly Paradise: Adam, Linnaeus, Wallace, Bates, the English Hedgerow and the Amazon Jungle."

Both "Morpho Eugenia" and "The Conjugial Angel," Byatt writes, were directly inspired by academic and scholarly texts: the first by her reading Darwin and George Eliot in conjunction, as well as a passage from Maeterlinck involving "anthropomorphic imagining of the Ant Queen after her nuptial flight"; the second by a footnote in *The Collected Letters of Arthur Henry Hallam* regarding Emily Tennyson's life after the death of Hallam, her fiancé. From this starting point, Byatt says,

> I came up against the problem I initially thought this paper was "about"—how far can one change "truth" in fiction.... If I had been writing biography or literary history I should have ransacked the papers at the Tennyson centre in Lincoln—whereas as a writer of fiction, I felt a strong inclination to *stop* with the information I had, from Hallam's letters, Fryn Tennyson Jesse, and various writings of Sir Charles Tennyson. I had the facts my imagination wanted to fantasize about, and I wanted space for the kind of female consciousness I needed, to which Emily Tennyson did not quite fit.

Or, as Fulla Biefeld, the bee taxonomist, says in *The Biographer's Tale*: "There are inauthentic fabrics here suspended from authentic hooks." She is referring to Destry-Scholes's mixture of fact and fiction in the manuscript about Linnaeus that Phineas has found, but the description applies equally to Byatt's work, in which a fictional narrative is "suspended" from a real-life "hook," such as a footnote.

IN PRINCIPLE THERE would appear to be nothing wrong with using a footnote or a historical figure as an inspiration for a novel; it is hard to imagine writing historical fiction without doing so. The problem with Byatt's writing is not the source of her inspiration, but the manner in which she treats it. These novels "could have turned into academic papers," she says—but in some ways they actually read like academic papers: assemblages of facts, evidence, and specimens, all mustered up to support some theory. The texts are pinned to the history beneath them, rather like the ancient bees in the cabinets of the Linnean society. It is no wonder they are stiff and brittle and dry.

The soullessness of Byatt's approach is a problem in much of her work, not just in her historical novels. Consider this passage from an interview in which she describes the writing of *Babel Tower*, a 600-page collage of convoluted plots featuring, yet again, a mysteriously discovered manuscript:

> I thought video art, for instance video portraits, which link up with Walter Benjamin and the work of art in the age of mechanical reproduction, would do very well for *Babel Tower*.... I've got to get the beginning right. I want—in a sense, I want the Post Office Tower, because this novel is haunted by language towers, and the Post Office Tower is a sort of communications tower, isn't it? Then I have stuck a thing called the language tower into the imaginary new University of North Yorkshire, and the students attack this tower. And I've got the trial of an obscene book and a divorce case, and both, as it were, produce a kind of degradation of language, in the sense that the language of the court degrades the language both of the book and of the marriage.

This sort of novel-writing reminds one of assembling model airplanes from kits: all the little pieces must be glued into their proper places. But the novel that results is a collection of facts and artifacts meandering in search of significance.

The problem of assembly masquerading as exploration is also surprisingly pervasive in *On Histories and Stories*, which bears little resemblance to the dense, precise, and indeed impassioned criticism of *Passions of the Mind*, Byatt's book of literary criticism published a decade ago, or her other scholarly work. In the first three essays of her new book, one is hard put to find much analysis at all; these

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essays purport to examine various themes—all having to do with the past, of course—in contemporary British fiction, but they read like laundry lists, stacking up example after example without much of a governing scope. The other pieces are more personal in spirit and somewhat fluffier. (One was published in *The New York Times Magazine*'s "millennium issue.") One misses the Byatt who used to tackle writers from George Eliot to Monique Wittig with style and vigor.

The extent to which Byatt clings to the superficial in this book is surprising. In the essay "True Stories," Byatt sets out to answer the question of why "the past" is "the subject of so much modern fiction," but she never quite gets there. Byatt wonders why many other contemporary British novelists, like herself, have disregarded Kingsley Amis's exhortation to write about "the serious social concerns of contemporary society," choosing instead to indulge their preoccupation with the past. But the only answer that she can come up with is to note that when a journalist ten years ago asked various novelists why they wrote historical novels, they replied that "they wanted to write in a more elaborate, more complex way, in longer sentences, and with more figurative language."

The journalist was apparently quite puzzled by this answer—one can see why; but Byatt joins these novelists in nostalgia for the language of the past. "At a time when certain kinds of criticism and ideological activity are happy to dispense with close attention to the history of words and their uses," she observes, "it seems somehow important to be able to make coherent texts using words as they were used, together." One can understand her vision of language and vocabulary as a system, and her insistence on using words in context; but Byatt cheapens her point by blasting certain unnamed postmodern literary critics who insist on pointing out "the hidden presence of 'anus' in Coriolanus" and so forth. What was a nuanced understanding of language as a complex system of interdependent signs becomes simple nostalgia for academic vocabulary before political correctness, almost like sex before AIDS. Anyway, an obsessive is in no position to criticize obsession. The critics whom Byatt attacks are as fascinated (or enslaved) by hidden structures and esoteric forms as she is.

But a novel, historical or not, cannot be about language alone, no matter how long and graceful and complicated its sentences are. And it needs to be founded on an idea, not on a footnote. Byatt's latest fictions have felt stiff and desiccated because it is difficult to discern any guiding principle behind the blizzard of facts about the morphology of bees or the behavior of the ant colony, other than the most obvious. All these colorful particulars represent an empty exoticism. Taxonomy for its own sake serves no purpose; the things categorized need to be given meaning, too.

TAXONOMY, UNFORTUNATELY, IS not the only area in which *The Biographer's Tale* treads familiar ground. The book reads like a tired rehash of *Possession*. The earlier novel made heavy use of letters, poems, diaries, academic papers, and other supposedly "original" texts meant to appear to have been authored by various characters in the book; and the sheer ventriloquism involved in writing all these texts, in all their various different voices, was much praised by the book's admirers. In *Possession*, however, the pastiche of styles functioned not merely as the verbal equivalent of a cadenza, but as an elegant and effective method of building suspense: as the detective-story aspect of the plot unfolds, readers can develop theories of their own by carefully reading the poems and other materials. On another level, the sheer explicitness of the textual collage helped Byatt to explore the act of reading and interpreting itself. As she said in an interview, "*Possession* is a postmodernist, poststructuralist novel, and it knows it is."

In *The Biographer's Tale*, Byatt gestures at another textual collage, designed to provoke a similar meditation on the construction of biography, but here it flops utterly. Rather than interspersing "original texts" with narrative, as she did so effectively in *Possession*, Byatt allows the three mysterious manuscripts to occupy nearly seventy pages smack in the middle of the novel, and they are slow going, not least because it is virtually impossible to make head or tail of them. On the most superficial level, it appears that no one bothered to spend much thought or time on the book's design: the font of the documents is almost indiscernibly different from that of the main text, which destroys the illusion of "found text." By the time we get to the quotations on the notecards, similarly inscrutable and long-winded, no one has bothered with creative typesetting at all.

Though not as much of a "campus novel" as *Possession*, the main character of *The Biographer's Tale* is a graduate student, and Byatt cannot resist slinging a few arrows at the academy. But the academic parody of the book, too, is a less deft imitation of the perfectly tuned satire of *Possession*. Take this passage from the earlier novel, part of a letter written by a feminist literary critic to one of the literary sleuths, her friend:

> When I last wrote I mentioned I might write something on water and milk and amniotic fluid in *Melusina*—why is water always seen as the *female*?—we've discussed this—I want to write a big piece on the undines and nixies and melusinas—women perceived as dangerous—what do you think? I could extend it to the *Drowned City*—With special reference to non-genital imagery for female sexuality—we need to get away from the cunt as well as from the phallus—the drowned women in the city might represent the totality of the female body as an erogenous zone if the circumambient fluid were seen as an undifferentiated eroticism, and this might be possible to connect to the erotic totality of the woman/dragon stirring the waters of the large marble bath, or *submerging her person* in it as [the poet] tellingly describes her.

The jokes in *The Biographer's Tale*, by contrast, seem oddly heavy-handed. The professor conducting the seminar during which Phineas decides to drop out of school, for instance, is named Gareth Butcher, while the kindly sherry-drinking

Distance

Summer ends, the sky an unnameable
Dense blue. Lake depths. The effort to lift regret
Off your heart. Now the *pock* of a tennis ball,
Continuum of a motorboat across stillness,
Become an elegy. The bocce balls lie
Clumped on the bowling lawn as if they'll never
Budge again.
Feet cold under quilts at dawn.
Just enough goodbyes. The road rises
All morning past tarns dark as steeped tea, past
Shuttered cottages. At first, imaginings
Of what you might have left back there. Startle
Of scarlet in a maple.
Ahead, half-glimpsed,
A spiral cut into a mountainside.
How will you climb up where you need to go?

Richard Tillinghast

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scholar of Anglo-Saxon is Ormerod Goode. Worse, Byatt constantly peppers Phineas's first-person narrative with self-conscious, self-referential interjections, such as "[The cards] were handwritten, in a maniacally tidy script (what do I mean, maniacally? I mean, simply tidy, tiny and tidy)" or "I do not propose to mystify anyone. Anyone? Who is going to read this?" Who, indeed?

Even more oddly, not just techniques but entire scenes of the new book are reminiscent of the earlier book. In this passage from *Possession*, the main character, Roland, is admiring the object of his affection through the keyhole of the bathroom:

> ... the door swung back and he smelled wet, freshness, steam in cold air. She nearly fell over him there; she put a hand out to steady herself on his shoulder and he threw up a hand and clasped a narrow haunch under the silk of the kimono. And there it was, what Randolph Henry Ash had called the *kick galvanic*, the stunning blow like that emitted by the Moray eel from under its boulders to unsuspecting marine explorers. Roland got somehow on his feet, briefly clutching the silk and letting it go as though it stung.

Compare the following passage from *The Biographer's Tale*, in which the lights in the Linnean society have just unexpectedly gone out:

> I slipped to my knees, losing consciousness, and my hands ran down solid thighs, strong knees, warm, muscular. The door opened, and I found myself at the feet of Fulla Biefeld, staring up inside her skirt at the slight wiriness of her pubic hair pressing against what appeared to be alternately crimson and emerald knickers.... The stalwart legs were furred with strong, brass-gold hairs. I let myself lose consciousness completely—I felt it coming over me and went along with it, it seemed the best thing.

Perhaps it should not be surprising that a novel about the writing of a biography of a biographer has a musty aura. Like *Possession*, Byatt's new novel "is a postmodernist, poststructuralist novel, and it knows it is." But while *Possession* was poststructuralism lite—a spoonful of romance helps the deconstruction go down—*The Biographer's Tale* is neither as witty nor as interesting. Surely we have heard by now that biography's seeming adherence to fact is an illusion, and that the image of a life that appears in a biography is a literary construct, and that truth is relative. It is still possible to write an effective postmodern novel (Helen DeWitt finely demonstrated this last year in *The Last Samurai*); but such a novel has to be about something in addition to its own postmodernity, and Mediterranean bees do not count. Writing a book, as even Phineas eventually discovers, involves more than sitting in every seat in the library. But both *The Biographer's Tale* and *On Histories and Stories* are all about the how of writing, and not at all about the why. They are tired books, and little more than clever; and they leave one wondering what might remain if the parade of facts and methods and drolleries was stripped away. ■

Sidesteps

By DENIS DONOGHUE

Sidetracks: Explorations of a Romantic Biographer by Richard Holmes

(Pantheon Books, 420 pp., $30)

RICHARD HOLMES IS a literary biographer, justly celebrated for his *Shelley: The Pursuit* (1974), *Coleridge: Early Visions* (1989), and *Coleridge: Darker Reflections* (1998). In 1985 he published *Footsteps: Adventures of a Romantic Biographer*, a gathering of biographical sketches on the margin of his more formal studies of Shelley. *Sidetracks* may be construed as a Coleridgean companion volume to *Footsteps*: it is a looser book, more hospitable to odds and ends.

"The great appeal of biography," Holmes wrote in *Footsteps*, "seems to lie, in part, in its claim to a coherent and integral view of human affairs." Biography is based "on the profoundly hopeful assumption that people really are responsible for their actions, and that there is a moral continuity between the inner and the outer man." The public life and the private life "do, in the end, make sense of each other; and the one is meaningless without the other." The view of life embodied in biographies "is Greek: character expresses itself in action: and can be understood, if not necessarily justified." Contemporary novelists, according to Holmes, have given up these axioms. As a result, characters of scale and resonance are hard to find. Literary critics used to speak of such matters, but since structuralism and deconstruction they have been pursuing arcane mysteries of no interest to the common reader. It is up to biographers to sustain the values of character and responsibility.

Holmes's most engaged writing acts upon his choice assumptions. I recall, as cases in point, his account in *Coleridge: Darker Reflections* of Coleridge's breach with Wordsworth and of their reconciliation, and, even more poignantly, the description of Coleridge's attempts to rescue his deplorable son Hartley. But Holmes has not considered one of the charges brought against literary biography, that it presents a writer's works as mere occasions in his life, comparable to other occasions in point and bearing, but without any special privilege. Hugh Kenner complained about Richard Ellmann's biography of Joyce that it presented Joyce's life as dominating the books. We are left feeling that Joyce had no imagination, and that his books merely transcribe the life that he was given to live.

Ellmann allowed readers to think that by reading the biography they had, in effect, read the books and taken possession of them. The relation between life and work appeared so seamless that the differences between a life lived and a book imagined and written did not arise. In Holmes's books, too, Coleridge's and Shelley's writings seem to issue directly from their local lives, footnotes to their real texts. Discontinuity is not admitted. Holmes does not emphasize the moments in which a writer's imagination discovers possibilities of expression and form that the mere life has not thought of.

Holmes's understanding of biography allows the biographer great personal lati-

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tude. In *Footsteps* and now in *Sidetracks* we are told more than we expected to hear about Holmes himself, his travels, his meetings, his loves, his sensibility, how he came to see what he has seen. *Footsteps* is the better book because it is more concentrated on its objects of attention. The book produces five biographical instances: the relation between Robert Louis Stevenson and Fanny Osbourne, a brief life of Mary Wollstonecraft, an episode in Shelley's life, a sketch of the French photographer Nadar, and a reported search for the clue to Gerard de Nerval. Each of these corresponds in biography to a novella in fiction: more elaborate than a short story, not as elaborate as a novel. And each study makes room for Holmes's meditations on his own activity. "Who exactly was the man I was trying to write about?" he asks himself—and lets us overhear the question—when he has quoted an especially opaque letter from Nerval to Jules Janin.

THE TROUBLE WITH Holmes's latest book is that its biographical occasions are too many and therefore each of them is slight. The most formidable one is an account of the relation between Mary Wollstonecraft and William Godwin mainly on the evidence of her *A Short Residence in Sweden, Norway and Denmark* and his *Memoirs of the Author of a Vindication of the Rights of Woman*. Some pages are repeated from *Footsteps*, but no matter: Holmes's study of a remarkable relation is superb. Added to the chapter on Wollstonecraft in *Footsteps*, that chapter would make a splendid "brief life" and display Holmes at his biographical best.

But Holmes has made up the book by adding far too many lightweight pieces and a few trivial mood pieces, "Letters from Paris." I may as well list them: they deal with Thomas Chatterton, Nadar again, Gautier in London, Jean-Gaspard Deburau (a famous clown in whiteface), Nerval again, Richard Harris Barham (author of *The Ingoldsby Legends*), Charles Maturin, M. R. James, John Stuart Mill, Viscount Lisle (arrested for treason in May 1540 by his uncle King Henry VIII but released the following February), Shelley, Scrope Davies (Byron's friend from his Cambridge days), Scott and Zelda Fitzgerald, Voltaire, Boswell, and Samuel Johnson's cat.

Too many. Holmes wrote most of them for the *Times* of London, so he could not take enough space or enough time to raise questions. Why did Mill cancel—or allow his wife to cancel—certain passages in his *Autobiography*, if he felt strongly enough to include them in the first draft in 1853–1854? Why did she not defer to him? Holmes seems to think that what readers of newspapers and magazines mainly want from him is fine writing, such that they may be supposed to murmur in gratitude, "Ah, yes, they don't write prose like that anymore." Of the cottage in Avignon in which Mill died on May 7, 1873, Holmes writes:

> The cottage was densely surrounded by willows and poplars which gave the evening air a chill dampness that precipitated his final and fatal attack of bronchitis. Mill had been advised to have the trees cut down, but the man of bronze could not bear to disturb the nightingales that sang among their branches long into the lonely night.

To bring his essay on M. R. James to an end, Holmes places himself with James in King's College, Cambridge:

> For myself, I shall call to mind only the view from the College Library, as the dark finally settles into the courts and very faintly the sound of Evensong drifts on the chill airs in the sweet, harmonious voices of the King's choristers and here and there a scholar twitches his curtains, sports his oak, and draws up his chair to the pool of light beneath his solitary, gazing lamp.

Wollstonecraft thought about Hamlet, "Shakespeare's Hamlet—that Danish Prince of melancholy." What kind of suicide had she in mind when she threw herself into the Thames from Putney Bridge? "Watery suicide." How did her writings affect Godwin in 1796? "Mary's revelations must have sped as directly as any arrow to the Philosopher's heart." When Holmes has nothing to say, he doodles: "Time passed, as it does in England." Everything reminds him of something else. Voltaire was set upon by hired thugs one night in Paris, and "the beating recalls the one delivered to the British poet John Dryden in Rose Alley London, by henchmen of the Earl of Rochester."

MEANWHILE USEFUL journeyman work does not get done. In the essay on Scrope Davies, Holmes complains that "the author-authoritative *Byron's Letters and Journals*, edited by Leslie A. Marchand, grants him but one footnote, in which it is recorded that he was educated at Eton and had 'an irresistible stammer.'" Not true. Holmes published this essay in *Harper's* in April 1977; but by then Marchand had issued seven volumes of *Byron's Letters and Journals*, in which Davies's presence in Byron's life is copiously acknowledged and annotated.

Again in the essay on Davies, Holmes refers to Shelley's sonnet "To Laughter":

> Shelley's general complaint in the sonnet is that none of the "great powers" which he himself worships—Silence, Solitude, Hope and Conscience—find a place in Laughter's "hollow heart." It is an interesting coincidence that this sentiment finds an exact echo in Byron's own, slightly ambivalent, response to Scrope's indefatigable wit.

This refers to Byron's letter of August 22, 1811, to Francis Hodgson, which Holmes quotes:

> Davies has been here, and has invited me to Cambridge for a week in October, so that, peradventure, we may encounter glass to glass. His gaiety (death cannot mar it) has done me service; but, after all, ours was a hollow laughter. You will write to me? I am solitary.

But it is not an interesting coincidence. Shelley's sentiment does not find "an exact echo" in Byron's. There is no ambivalence toward Davies in Byron's letter; he is merely saying that he and Davies were so broken by the death by drowning of their dear friend Charles Mathews that their efforts to drink and talk each other into good cheer were hollow.

A last point about the essay on Davies. Byron gave him a fair copy of the third canto of *Childe Harold* to convey to his publisher John Murray in London. Davies didn't deliver it: it stayed in a trunk that he deposited at his bankers, Morland, Ransom & Co. In 1976 the trunk was found in the private deposit vault of Barclays Bank in London. When the contents were disclosed, Jerome McGann examined the text of the *Childe Harold* canto. Holmes writes: "Scholars are however naturally cautious, and McGann's final assessment will appear when his great opus, begun in 1970, finally surfaces."

"Will," "great opus," "finally," and "surfaces." Instead of these pawky ironies, Holmes might have chosen to be helpful. He might have brought his essay up to date for his new book, if only along these prosaic lines: "Jerome McGann's edition of Byron's poems, completed in seven volumes (1980–1993), collates with his chosen copy-text of *Childe Harold*, the canto that Davies carried to London. McGann's informative note on the text that Byron entrusted to Davies may be read in Vol. 11, pp. 297–298." There is more to be said about Scrope Davies, a "good fellow," a wit, a drinker, and a catastrophic gambler on cards and horses. The essay in *Sidetracks* is interesting, but it is misleading. ■

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CAMBRIDGE DIARIST

Bookends

TWO MEN STAND AS BOOKends—one at the beginning, one at the finale—of the Passover saga. But neither of their names appears in the Haggadah, the ancient piece of pedagogy that serves as the narrative accompaniment to the festival meal, the seder. There would be nothing to narrate had Joseph not welcomed his refugee kin to Egypt, just as there would be nothing to narrate had not Moses a few generations later brought his more numerous kin out of bondage from Egypt. These two forceful personalities, it occurred to me on the night that is different from all other nights, represent two theories of Jewish life in a non-Jewish world, an ongoing dialogue between two different ideals of Jewish security, between optimism and pessimism, trust and self-reliance. The ideological confrontation is readily recognizable to Jews and non-Jews alike, and it is the interior counterpart to assimilation and separatism, a very modern dispute.

THE JOSEPH STORY ENGROSSED Pontormo, Rembrandt and Lucas von Leyden, Handel and Richard Strauss, Hofmannsthal and Thomas Mann (and in our own day, with the "Technicolor dreamcoat," Andrew Lloyd Webber plus his zillions of fans). One reason, of course, is that Joseph's relationship to his father and his brothers, to his pharaoh and Potiphar's wife, his gift with dreams, and his ambitions for dominion are made for the dramatic imagination. But what is really special about Joseph in the Bible is that he is a power in another people's country—and that he believes that his power is all the protection, all the politics, his minority brethren need.

JOSEPH WAS NOT EXACTLY WHAT WE would call an assimilationist. Indeed, the rabbis insist that the Jews did not assimilate in Egypt, that they were redeemed because they did not alter their language, their names, or their appearance. It was Joseph's conviction, rather, that the apartness of the Jews would not trouble the Egyptians, that the otherness of the minority would not provoke fear or contempt among the majority. And, for a while, that faith seemed warranted. Joseph was the grand vizier. He wore the monarch's signet ring, and he administered the royal estates; and after radical measures of expropriation in a time of famine he instituted a 20 percent tax on land and labor. He and his clan in Goshen were the beneficiaries of the king's gratitude: The first chapter of Exodus relates, "The children of Israel bore fruit, they swarmed, they became many, they were powerful ... the land filled up with them." But a verse later the political weather changes: "Now a new king arose over Egypt who had not known Joseph...." The difference of the people in Goshen was no longer tolerated. Egyptian decency could no longer be relied upon. Joseph's optimism was exposed as an illusion. The troubles of the Hebrews were on their way.

THE EGYPTIANS COULD NO LONGER abide the Jewish mixture of otherness and prosperity. It was not the last time the Jews learned that self-erasure was the expected price of success. After the Inquisition (which followed the Jewish "golden age" in Spain), many explicators of the disaster fixed on the influence and the wealth the Jews had amassed on the Iberian Peninsula as a reason for the Catholic faithful to hate them. During Weimar, the Nazis fanned popular resentment of Jews, their wealth, their intellectual prominence, their presence in the media, even their political influence. This has left some Jews of our time with a fear of success, or at least public success. Even Al Gore's choice of Joe Lieberman as his running mate provoked some Jewish quaking of just this sort—in America, which broke this pitiful mold. I myself received several phone calls provoked by what one distinguished academic called "this folly."

MOSES IS THE OPPOSITE OF JOSEPH. He does not want to accommodate the Jews to their situation or even to ease their burden. He will not cast Jewish destiny upon the waters of universal goodwill. He wants his people free, sovereign, incorporated as a nation of their own. Moses began as a virtual prince among the Egyptians; but unlike Joseph he does not choose to be a power broker between his own and the other. Without regret, Moses returns to his people and ushers them into the Promised Land. (And with them, tradition tells us, came the bones of Joseph, carried for 40 years and buried near Nablus at the site recently trashed by the Palestinian Authority.) A true liberator. Like Theodor Herzl, the founder of modern political Zionism, who as a young adult was a fin-de-siècle Viennese *boulevardier*. But childhood *is* prophecy: When young, Herzl often dreamed about Moses, the Moses of Michelangelo, to be sure, the Moses that would be known in a cultured Viennese Jewish family. Later on, after Herzl set into long motion "the Jewish state," the analogy came from others. Except, of course, from those Jews who feared that a state of the Jews would cast doubt on their loyalties to the polities in which they lived.

JEWS (AND PEOPLE CLOSE TO JEWS) are disputatious. So our seder was full of argument. Is it right to revel in the defeat of one's enemies? Can we know what freedom means without knowing enslavement? After the Four Questions, asked by the youngest person in the assembly (my granddaughter Lucy, in this case), the Haggadah evokes four sons (alas, the Haggadah we used this year is not gender-neutral): wise, wicked, simple, and the son who does not know how to ask. My son Jesse observed that the wise son, as described, was really just a "kiss-ass," and that if I ever answered his questions the way the parent in the text did (which was to cite another text) he would think I thought him stupid. The four-sons scenario—with its branding of children as fixed moral types—always causes cognitive discomfort, which we try to minimize by modernizing its meanings. We suggested, for instance, that the wicked son, who asks, "What does all this mean to *you*?" might simply be an individualist. The didactics of modern teaching does not require anyone to stigmatize this child as errant.

A WEEK BEFORE PASSOVER, I WENT to the Metropolitan Opera to hear Verdi's early opera *Nabucco* (1842), which some commentators call his first true masterpiece. It tells the story of Nebuchadnezzar, ruler of Babylon in the sixth century B.C.E., and the Jews he took into captivity from Jerusalem. Verdi was probably drawn to the subject by his own risorgimento sentiments and by his Italian patriot friends in exile. *Nabucco* was first produced in New York in 1848, the year of great nationalist revolutions in Europe. But the opera has had an eerie absence from the Met for more than 40 years. I suspect the Met was spooked by the idea that this is a Zionist opera, which it is. The libretto takes great liberties with history: The monarch ultimately converts to the religion of Jehovah, which of course he never did. But the emotional high point of the opera is when the chorus of exiles, longing for return, sings "*Va, pensiero....*" The Met audience cheered and cheered. And, right then, toward the end of the third act, with 20 minutes of the opera still to go, James Levine led his vocal and instrumental forces in an encore. The woman in front of me said to her companion, "I feel like singing the Hatikvah."

MARTIN PERETZ

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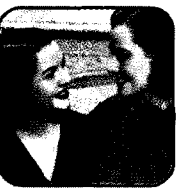
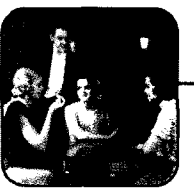
John is lonely.

Mary is bored.

John's friend tells him about Nerve...



Mary's friend mentions Nerve...



...the community of thoughtful hedonists!

John posts an ad and responds to Mary's.

Mary posts an ad and responds to John's.

John is excited for his date with Mary.

John and Mary hit it off!

Mary can't wait for her date with John.

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